

**STEINWAY PIANOS**

Ownership of a Steinway Piano indicates three things:

- Good judgment** in business.
- Good taste** in music, and
- Financial Responsibility.**

Sole Agents  
**Montana Music Co.**  
119 N. Main St.

**VALENTINES**

VALENTINES  
VALENTINES  
VALENTINES  
VALENTINES  
VALENTINES  
VALENTINES  
VALENTINES  
VALENTINES  
VALENTINES  
VALENTINES

**Montana Book Co.**  
W. H. KLEIN, Manager  
209 N. Main St., Butte, Phone 294

**VALENTINES**

Prettiest and Nicest  
Cheapest and Best,  
Funny, Comical.  
All kinds and sizes,  
Come and see them.

**EVANS' BOOK STORE**  
114 N. Main St.

**CALKINS' BOOK STORE**

"Tomorrow is St. Valentine's Day."—Shakespeare.

We have all kinds of Valentines. Our line of Art Valentines is very pleasing.

**CALKINS' BOOK STORE**

**A Butte Lady Says**

That she can cook on a gas range at half the expense of a coal range. She told this to our representative this snowy morning.

**Gas Office**

202 North Main

**THE ATCHISON, TOPEKA & SANTA FE RAILWAY**

Through Line

In connection with Oregon Short Line and Rio Grande Western, from Utah to Kansas City, St. Joseph, Atchison, Chicago, El Paso, Galveston, City of Mexico and Mining Camps in New Mexico and Arizona.

Special attention given to live stock and wool shipments. For passenger and freight rates apply to Agents R. G. W. and O. S. L., or write,

**C. F. WARREN, Gen'l Agent**  
Salt Lake, Utah.

# ARE THE SCHOOLS OF BUTTE AND HELENA IN DANGER OF LOSING APPORTIONMENT BECAUSE OF AWKWARD LAWS?

The public schools of Butte, Anaconda and Helena do not comply with the law relating to the course of study and may be subject to the penalty provided by the school law, which is the deprivation of their apportionments, according to a statement made by W. W. Welch, state superintendent of public instruction.

"I have a list in my office in Helena," said Mr. Welch at the Finlen last evening, "on which are marked the diplomas issued to pupils for taking the prescribed examinations for entrance to high schools and opposite names of the cities of Butte, Helena and Anaconda there are ciphers.

"It is up to the state board of education," said he, when asked if the schools were on the accredited list. "I think they are on until they are taken off, just as when a prisoner is arraigned in court, he is presumed to be innocent until he is proved guilty. Yes, I believe they are on the list now, although they do not comply with the regulations.

"I spoke to Miss Rogers, the superintendent of the Helena schools concerning the matter. She told me that the board refused to comply.

"Mr. Young of the Butte schools said he was willing to comply, but he didn't see how they could arrange it here, as the examinations are issued at a different time from the city examinations.

"Mr. Koontz of the Anaconda schools informed me that he didn't know anything about the regulations, but would bring the matter before his board. The whole matter came up through a letter in the form of a complaint which I received from a parent in Helena alleging that his boy was prepared to take the high school entrance examination prescribed by the state board, but failed to pass the examination set by the Helena high school.

"Then Mr. Welch," said the Inter Mountain reporter, "if a pupil from one of the schools in question should apply for entrance to the preparatory department of one of the state institutions, or to a city high school which complies with the law, would be admitted?"

"Certainly not," said Mr. Welch.

"Then, how can they be considered on the accredited list if their work is not accredited at the state institution?"

### Matter May Be Settled in June.

"It is up to the state board of education," said the state superintendent.

"But in your official capacity are you not the authority to decide?"

"I am only the secretary of the state board," said Mr. Welch, "and as such cannot decide the matter. If the state board at its meeting in June agrees to accept the examinations prescribed by the three cities, they are on the list. If not, they're off.

"Are there not some high schools in the state which do not conform with the course of study prescribed for high schools and whose pupils cannot be admitted to the university on that account?"

"Yes, at Billings, Red Lodge, Glendive and some others, they do not follow the course."

"What action is taken in this matter?"

"I expect the state board to fix the matter," said Mr. Welch.

"What is the penalty for a district's refusing to comply with the state course?"

"We have a report received by the county superintendent in which the teacher is asked if she has met with the requirements. In many instances the course is not followed, but there has been no action taken."

"What do you think of the Montana school laws, Mr. Welch?"

"I think they are a compiled set of resolutions," said the state superintendent. "In many cases there is no provision for the execution of the laws laid down therein."

Replying to a question regarding the book companies which have not lived up to their contracts, Mr. Welch said:

### Trouble for Book Contractors.

"I believe the companies will be very glad to escape with the forfeiture of their \$25,000 bond for their breach of contract. Montana has been required to pay a higher price for books than other states, simply because no one made any objection. The contract system for supplying text books is not a success in many states.

"The next legislature will be called upon to make a new contract, as the present one will expire in June, 1903.

The state superintendent visited several of the Butte schools yesterday.

"I was very much impressed with the perfect discipline and excellent work in every one of the rooms," said he. "The schools here are doing very fine work."

Mr. Welch has been appointed on the national committee for the Carnegie University proposed to be built at Washington, and towards the erection of which Mr. Carnegie has promised \$10,000,000, provided that congress will make an appropriation for the support of the institution.

Speaking of the proposed uniformity in school curricula, an official of the schools said today:

"The difficulty mainly arises from the fact that the state board prepares examination papers and prescribes dates for holding the examinations, which conflict with the arrangements in the city schools.

"In most cities eighth grade pupils are admitted but once a year to the high school, while the state board holds three examinations annually.

"A set of laws which are intended alike to govern a vast system like that of Butte with 5000 children, and nine or ten months of school, and the little rural districts which have three months of school in the year and very often not more than three children in attendance is utterly impractical on the face of it.

"Uniformity is very desirable, but the nature of the conditions in different communities makes it impossible to conform with a regulation. A law that is operative and advantageous for one district may utterly upset the plans of another.

## SUIT OVER HEATER

DEFECTIVE HEATING PLANT HAS RUINED DRISCOLLS' HOUSE.

HOUSE IS COLD AND BRAN-LIKE

Sue the Bartlett Heating and Ventilating Company for \$1047—Troubles of People Who Own Flats.

A suit to recover the sum of \$1047 has been brought in the district court over a house heating plant, which is unsatisfactory. The suit was begun by Mr. and Mrs. Daniel Driscoll against H. R. Bartlett and the Bartlett Heating and Ventilating company.

It is alleged by the plaintiffs that the defendants put a heating plant into their flat, on Park and Alabama streets, and warranted that it would heat the house to 70 degrees Fahrenheit in the coldest weather than the weather man could produce.

The plaintiffs say that they relied upon this representation and staked the reputation of the house upon it, and that the heating plant proved utterly unequal to do what it was scheduled to do, and that during the severe weather recently experienced the house was like an iceberg and its reputation was almost ruined.

### Want Financial Consolation.

The complaint alleges that the plaintiffs agreed in a written contract to pay the defendants \$600 for the plant, and paid \$300 down and gave notes for the balance. The plaintiffs further say that the coldness of the house, due to the failure of the heating plant, compelled them to reduce the rent of the flats it contains ever since July of last year, and that they were damaged in the sum of \$325.

They add that the injury to the reputation of the house, which the defective heating apparatus has brought into disrepute as a cold, uncomfortable, barn-like habitation, has damaged them in the sum of \$250, and that they have been damaged \$10 by a bursted heater and \$85 by the loss of a month's rent when the house was vacant.

The complaint alleges that the defendants agreed to take the plant out and put in a satisfactory one if it failed to do what it was warranted to do, but though a demand has been made upon them they refuse to fulfill their contract.

Hence the plaintiffs ask damages in the sum of \$747 and the return of the \$300 originally paid to the defendants.

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

### ALDERMAN MAYO IS ROBBED.

Horsestheives Alleged to Have Taken Horse Belonging to Head of Police Commission.

Alderman Ed Mayo has been robbed. The robber or robbers, without the fear of municipal retaliation in their hearts, relieved the alderman of a horse and saddle.

The animal was left standing in front of one of the road houses south of the city last night and was appropriated—or mayhap it strayed away.

The alderman wasn't in the vicinity. It was one of his men who rode the animal down south to explain that there were always 2000 pounds in a ton of coal delivered on the flat.

The police are looking for a horse of some sort of a color—any old thing will do, just so long as the animal has a red saddle on its back.

If the police don't find the horse the citizens of Butte are asked to look at the saddles of horses they see and if a red one is found to notify the new chairman of the police committee and get a job on the police force.

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

## AFRAID OF MURDER

JIM BURNS SAYS MEN HAVE TRIED TO SHOOT HIM.

DEATH HOVERS NEAR JAIL BARS

Vagrant Supposed by the Police to Have Gone Insane Over Recollections of Some Crime He Committed.

"They're trying to shoot me through the barred windows of the city jail, but I'm next to the game. I've been up against the window game before and I'm too foxy for 'em," said Jim Burns this morning as he started to leave the jail after serving a sentence for fighting.

"What's the matter Burns," asked Chief Reynolds as he met the man in the hall as he was leaving the lockup.

"The criminals of Butte are trying to murder me because they claim that I was a stool-pigeon for Jerry Murphy when I was in the county jail before that fellow Burney is one of them and they have been laying outside those bars to shoot me down stairs there. But I'm too foxy for them and I didn't go near the windows."

### Dangerous to Be at Large.

"Lock him up again, Sol," said Chief Reynolds after Burns had demonstrated that he was insane. The chief looked upon Burns as a dangerous man to be at large and had a charge of insanity entered against him before his removal to the county jail.

Burns has frequently been arrested and a short time ago served a 30-day sentence for vagrancy. Soon as released he was arrested again for assaulting a citizen.

He labors under the hallucination that some one is trying to kill him and made a demonstration with a gun he secured not long ago.

He kept quiet in the city jail this time until his time was up and then announced that he was going out to look for the men who were trying to murder him.

It is the belief of the police that Burns has committed some crime, the memory of which has turned his brain. He claims to have lived in Shreveport, La., and the authorities there will be asked about him.

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

### FELONY TRIALS POSTPONED.

Trial of Sullivan, Who Stabbed McHale, Continued One Week.

Two felony trials were postponed in Judge McClerman's court this morning. One of the cases was that of John Richards, charged with grand larceny, and the other was the case of Frank Sullivan, alias Frank Wilder. The cases were set for trial this morning but the court was otherwise occupied.

The trial of Thomas Pooley had the attention of the court. The week that it took to get a jury in the Pooley case has plicated the criminal trials up in a heap in Judge McClerman's court.

The trial of R. G. Shadwell for murder has been waiting for the floor for three or four days.

The trials of Sullivan and Richards were postponed until next Thursday.

Richards is accused of taking \$50 out of another man's pocket in a saloon. Sullivan is the man who stabbed James McHale in the Pullman saloon about two months ago.

McHale was expected to die, but he did not do so. The stabbing took place at night in a drunken quarrel. McHale has been in the hospital ever since and Sullivan has been in jail.

Due and Payable. (Philadelphia Press.)

Father—How is it you never have any money?  
Son—It's not my fault. It's all due to other people.

## CHASES THE JUDGE

JENNIE ROSE TALKS THE JUDGE OFF THE BENCH.

NO VAGRANT, BUT LAND OWNER

Sawed Wood Rather Than Ask Aid, Says Woman Who Claims the Police Do Not Treat Her Considerately.

Jennie Rose protested strongly against being classed as a vagrant when arraigned on that charge in Judge Boyle's court this morning.

"I'm not a vag, your honor," said the woman as she shook her grey locks and glared fiercely at the audience outside of the railing.

"I am a property owner and a taxpayer. I own property in Montana and I own property in Dakota. I work for my living and I never had to work until two years ago. I am able to care for myself and have never solicited charity. I was educated by my parents for a useful life and I am self-supporting, your honor.

### Her Protest.

"Why, I have gone out and sawed wood and split it rather than ask any one for money or aid. I sawed and split wood for a lady only a few days ago. My father was postmaster in Connaught, your honor, and he was elected there for forty years. I want to tell the court that I am well bred and the police have no right to do a thing to me.

"Why, I was arrested twice in a week for carrying my own coat over my arm. The policeman told me that it would just fit his best bri and that he wanted it. I'm no vagrant and I object, your honor, to be classed as such by these good-for-nothing policemen."

The woman kept up the tirade until Judge Boyle actually took up his hat and fled from the court room.

"That wasn't a very gallant way to treat a lady judge," remarked one of his friends, but the judge had business elsewhere and kept busy until the woman was taken down stairs and locked up. Then he set the trial for next Saturday afternoon.

Pat Kinney, John Gallagher and John Case pleaded guilty to being drunk and were fined \$5 each.

The case against C. C. Wilson for breaking a window was dismissed.

Byron Barrett was fined \$10 for assaulting Kitty Gray and John Dore, arrested for leaving his team untied, was given until this afternoon to plead.

### A JUVENILE TRAMP.

Twelve Year Old Boy Runs Away From Helena Home.

Chief Travis of Helena has asked Chief Reynolds to look out for a runaway boy named Fred Piere, aged 12 years, who ran away from his home in the capital city yesterday and is supposed to be headed toward Butte. The infant tramp is described as red checked, wearing a cap, knee pants and grey suit.

### CLUBBED FOR RESISTING.

J. Spiegel, Tailor, Fails to Clean Sidewalks and Gets Arrested.

Spiegel appeared in police court this morning with his head bandaged and secured a continuance of his case until tomorrow.

The tailor insists that he was unjustly arrested and assaulted, but the officer is backed up by Street Commissioner McLaughlin who happened to have also served notice on Spiegel to clean his sidewalks.

Harriman Going to Mexico. (By Associated Press.)

New York, Feb. 12.—E. H. Harriman, president of the Southern Pacific system and chairman of the Union Pacific lines will, it is said, leave here in about two weeks for the City of Mexico.

## DIAMOND ROBBER

MAN WHO STOLE \$4000 WORTH OF DIAMONDS WAS HERE.

ON THE WAY TO STATE PRISON

Sheriff Kennedy of Glendive Passed Through Butte for Warm Springs With McCarthy, Who Looted Drummer's Trunk.

Jerry McCarthy, the diamond thief who robbed Bert Clausen, a drummer, of \$4000 worth of precious stones, was in the Silver Bow county jail for a few hours yesterday. He was brought to Butte by Sheriff Kennedy of Glendive, where his crime was committed, and was on his way to state prison.

McCarthy did not succeed in keeping the stones and at his trial he pleaded guilty and was sentenced to five years in the penitentiary. His capture was a prompt and clever piece of work on the part of Sheriff Kennedy.

McCarthy saw Clausen exhibit the diamonds at Dickinson. Clausen was traveling through Montana drumming for a jewelry firm. McCarthy was not a good judge of diamonds and he placed Clausen's stock at the overly high value of from \$12,000 to \$15,000.

He followed Clausen to Glendive. At Glendive Clausen left his trunk, which contained the precious stones, in the railroad station and at about 2 or 3 o'clock in the morning McCarthy broke into the baggage room and looted the trunk. The next day, not very many hours afterward, Sheriff Kennedy arrested him on suspicion.

### McCarthy Confessed.

McCarthy finally confessed to the crime and told where he had secreted the stones. He took Sheriff Kennedy to Terry, 28 miles from Glendive, and the diamonds were found where he had hidden them in the ventilator of an out-house in the school yard there.

It is believed that McCarthy is an ex-convict, but the Glendive sheriff has no absolute evidence of the fact. He is 23 years old and stands six feet two inches tall and weighs over 200 pounds.

He located in Dickinson last June, and a brother of his was there during the summer buying horses. McCarthy says that his mother lives at Fayetteville, Arkansas. He was interviewed in jail yesterday, but declined to talk about the diamond robbery.

"I thought you might care to say something," the interviewer remarked.

"Well, I won't say anything," replied McCarthy.

Then he proceeded with a few remarks in the way of comment.

"I've got my little bundle of five years and I'm going down to do it," he said.

"Well, that's a little bad," said the interviewer.

"Yes," agreed McCarthy.

"But those things have to happen," the other said.

"If they didn't the officers wouldn't have anything to do," the young man who got the diamonds but lost them again responded and the interview came to a close.

It is the Lenten Season.

For 40 days beginning with today all good Christians of the Catholic and Episcopal faith will discard everything that in any manner pertains to "the world, the flesh and the devil," and will put on their winter garment of repentance, for it is the Lenten season and today is Ash Wednesday.

Solemn high mass was celebrated in all the Catholic churches this morning and blessed ashes distributed to the faithful who were present.

At St. John's Episcopal church today there were services at 10:30 o'clock a. m. and will be again at 7:30 o'clock in the evening. Throughout Lent there will be services every evening except Saturday. During Holy week there will also be services both morning and evening. On the evening of Good Friday the choir of St. John's church will render Stainer's "Crucifixion."

**25% Off**

**Rubber Goods**

For One Week

Syringes, Throat Sprays, Sheetings, Water Bags. In fact everything in the Rubber line—25 per cent off this week.

**CHRISTIE & LEYS**

Fine Extracts

12 N. Main St. BUTTE

NOTICE FOR PUBLICATION.

Department of the Interior, Land Office at Helena, Mont., February 10, 1902.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before John R. Eardley, United States commissioner, at Anaconda, Mont., on March 15, 1902, viz.: Napoleon Tessier for homestead entry No. 3320 for the lot 4, southwest quarter and northwest quarter and west half southwest section 4, Township 2 north, Range 12 west.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz.: David Tessier, Lewis Tessier, Florence Thibadeau, Fred Gagner of Anaconda, Mont.

**GEORGE D. GREENE,**  
Register.

**No Guess Work.**

Just what you will have to pay for any job of papering or house painting, we'll tell you to a cent.

**New Spring Wall Papers**

Are Now Being Shown

**CARDER WALL PAPER CO.**

C. V. Franzman, Prop.  
King Block, 115 W. Park

**Sutton's Broadway Theater**

Three Grand Nights and Souvenir Matinee, Beginning Friday, Feb. 14

**Collamarini-Repetto Comp'ny**

Presenting Acts from Grand Italian Operas.

Friday evening, "Carmen." Saturday, triple bill, "Barber of Seville." "Il Trovatore." Souvenir Matinee, Saturday, "Rigoletto." Sunday, Request Program.

Prices, evening, \$1.50, \$1.00, 75c, 50c, 25c; Matinee, 25c, 50c 75c.

Monday, Tuesday, Wednesday, Thursday, February 17, 18, 19, 20

Lieber and company, immense production of Hall Caine's great play.

**THE CHRISTIAN**

50 People, including W. S. Hart as "John Storm" and Lilla Vane as "Glory Quale."

The dramatic triumph of the century. Seat sale opens Saturday.

Prices: \$1.50, \$1.00, 75c, 50c and 25c.

**SUTTON'S FAMILY THEATER**

Commencing Tuesday, Feb. 11.

**THAT GIANT**

EDWARD BEAUPRE

Stands 7 Feet, 10 1/2 inches. His Equal Does Not Live. The Largest Man on Earth. See Him. No Advance in Prices.

**A Good Run Is Better Than a Bad Stand...**

We'll make your watch run all right on a guarantee. Missing parts, wheels, or anything else missing, replaced at factory cost.

**LEYS**

The Jeweler and Optician

Cwsley Block, Butte, Mont.

**IT CURES!**

WHAT CURES?

**PERRIN'S PILE SPECIFIC**

No application necessary. Just take it, that's all.

For Sale at all Druggists

Write for descriptive pamphlet.

**C. A. PERRIN, M. D.,**  
Helena, Mont.