

INVESTIGATING THE COURT

Legislative Committee Uses the Probe on State's Highest Tribunal.

SEVERAL WITNESSES PUT ON THE STAND

Ex-Commissioner Ragan Tells How the Work Was Done—Help Needed in Reading Authorities and Writing Opinions.

LINCOLN, March 24.—(Special.)—The examination of the supreme court judge and commissioners commenced this afternoon, with ex-Commissioner Frank Irvine on the stand. Mr. Irvine made an opening statement by saying that he was no longer a public officer, and doubted the authority of the legislature to examine into his conduct. He then said he was ready to answer any question.

Mr. Irvine then told how he employed his wife to assist him. He did this before there was an allowance of pay for such assistance. His work was mostly at home and his wife was able to take down his dictation in a very satisfactory manner. The opinions written by him had all been dictated in this way. His wife was not a shorthand writer, but was able to take down the work rapidly and accurately. After the opinions were completed she copied them on the typewriter.

Mr. Irvine said that for a time he maintained an office in Omaha in order that he might have convenient access to his library. He gave office room to a young attorney and stenographer part of the time. Sometimes he had employed some help in the stenographic work, and had paid for the same either from his own pocket, or it had been paid from the salary allowed his wife.

Cross-examined by Mr. Sturges, Mr. Irvine said he had considerable work done by a Mr. McDonald and a Miss Phillips. Some of the work in preparing the opinions was of such a character as to require confidential work on the part of his assistant, and he had not been able to find any one who could or would do the work as well as his wife.

Judge Norval was recalled by Mr. Sturges and was asked further about some advance payments made him by J. S. Bartley. Judge Norval said he had sometimes needed money and turned his warrant over to Bartley, who advanced the money. The witness supposed it was Bartley's own money.

Ragan Testifies.

Ex-Commissioner Ragan said that prior to his appointment in 1893 he had been employed by a loan and trust company and had worked for him a Miss Fullerton as stenographer. The first month of his work with the court he employed Miss Fullerton. After that he employed his wife. She helped him in preparation of opinions. He had also employed a young woman for further help, and she worked some for him until she got married. Then for awhile he employed a young man at \$25 per month who was a short-hand writer. This young man went to New York and was drowned. A young woman was employed later at \$25 per month, but she had after awhile got married and moved to Lincoln. Of late he had employed a Mrs. Walters to help at \$20 per month.

Mr. Ragan said that this assistance had been paid for out of his own pocket. The assistance rendered by his wife was in the way of abstracting evidence and reading from the records.

In reply to a question about the sufficiency of the pay for his assistance, Mr. Ragan said he did not think the pay was sufficient, either for himself or his wife. Previous to his appointment he had been earning \$7,000 per year, and he took the place under the mistaken idea that there was a "cheap glory" in it. He would not again take the place at \$5,000 per year.

Mr. Ragan further said that his wife was a well educated woman, and had in helping him earned more than the money paid. She did the work in a more satisfactory manner than anyone else could have done.

Mr. Ragan said he had nothing to conceal in connection with the manner in which he had done the work. He said: "I would not take the job again at \$6,000 a year. The state of Nebraska got six years of my life, and will never get any more unless I am convicted of some crime and have to serve time."

Mrs. Ragan was called and explained how she had assisted her husband in the work. It was necessary to be ready to assist at any time. She did a great deal of work in reading records and books. She had drawn the vouchers for the services performed.

Ida M. Walters was called. She said she had been employed in Judge Ragan's office for about four years, and had been paid by him. She had taken the dictation of Judge

Ragan, and in this way took down many of his opinions. She knew of the assistance that was performed by Mrs. Ragan. The witness explained that she was a general stenographer, and did a great deal of outside work. Judge Ragan furnished her a machine and all stationery, and had also paid her \$20 per month.

Mrs. Norval Testifies.

Mrs. Norval being called, testified that she put in most of her time helping her husband in the preparation of opinions, and did the typewriting. She confessed to being a very rapid operator of the writing machine. The witness said that at first she had worked by the day, but had not preserved the record of the work after drawing the pay. The working time was necessarily very irregular, and sometimes the work had taken fifteen hours a day. She had had little time for household or social duties, and had worked hard to earn the money. She had drawn the warrants, and still had several of them for the quarterly salary.

W. S. Pearne of Grand Island was called. He said that he had been in the employ of Judge Harrison from January 11, 1894, to April 1, 1897. He had put in a great deal of time reading records and evidence to the judge. It was required that every line of the records or briefs be read. The witness also aided in the preparation of opinions.

Much of the work, the witness said, was done at his home, or at the home of Judge Harrison. The judge's method was to write his own opinions out himself at length, and these were then copied and compared by the witness.

Mr. Pearne said that he drew pay from the state for services and continued in the work until 1897, when he commenced the practice of law.

Questioned about his experience, the witness said he first went to Grand Island as manager for Dun's agency, and had had considerable experience in work of the class later performed for Judge Harrison. While acting as assistant to the judge the witness drew the pay and retained it all himself.

The witness said that at first when he worked by the day he kept an accurate account of the time employed, and put in a bill for the time employed.

Judge Irvine told the committee at this point that Mrs. Irvine was in a poor state of health at the present time, that she would be unable to be present, and as her testimony would be only corroborative of his own, he asked that she might not be called. This request was agreeable to the committee.

Mrs. W. S. Pearne was called and testified that since April 1, 1897, she had assisted Judge Harrison in the work. Much of this work had been done at her home, although some had been done here at Lincoln this winter.

The committee took an adjournment to Monday afternoon at 2 o'clock.

FAVOR A COMMISSION

(Continued from First Page.)

resolution to investigate the matter was adopted by a vote of 39 to 37.

H. R. 501, the general appropriation bill, was placed on third reading and passed by a vote of 78 to 8. These voting against the bill were Bower, Cawthra, Governor, McCracken, Menninger, Morrison, Peck and Shore.

The sifting committee made a new report, advancing H. R. 693, 690, 699, 610, 275, 315, 412, 314, 225, 259, 230, 141, 439 and 402. The report also recommended H. R. 385 and 392, the Omaha charter amendments, to be engrossed for third reading.

House of Representatives to include in the latter part of the report H. R. 267, 343 and 370.

The chair held that the report, to have a bill engrossed for a third reading, and the House amendment were out of order. The balance of the report was adopted.

The house went into committee of the whole, with Jansen in the chair, to consider the bill. The chair held that the purchase of school lands by persons who held leases on the same prior to January 1, 1897, was next taken up. An amendment by Hicks to include university lands was adopted.

Representatives Evans, Swan, Milburn, Pollard and Cawthra all spoke against the bill, holding that the educational fund could not be in a safer place than invested in land as at present.

Evans moved to indefinitely postpone the bill.

H. R. 610, by Grafton, providing for an appropriation of \$25,000 for an executive mansion, was taken up for consideration. Pollard moved to recommend that all of the

bill after the enacting clause be stricken out.

Thompson of Merrick offered an amendment which made a new bill of its provisions the Board of Public Lands and Buildings is authorized to advertise for bids and is limited to no particular locality. Thompson explained that if the state felt able at this time to build or purchase a residence for the governor his amendment provided for doing it in a business-like manner. The amendment carried and the bill was recommended for passage.

H. R. 466, by Weaver, providing for re-issuing temporary plank and board sidewalks in cities of the second class, was recommended for passage.

S. F. 136, by Crow, making dogs personal property and holding the owner liable for damage done by them, was recommended for passage.

Publication of Saloon Licenses. H. R. 414, by Tanner of Nance, to change the law relating to the publication of saloon licenses, was taken up, and Wheeler of Furnas moved that it be recommended for passage. Lane of Lancaster moved to amend that the bill be indefinitely postponed.

Clark of Lancaster in speaking on the bill said that if there was to be any good faith in the granting of saloon licenses this saloon man at Lincoln, Omaha or any other city could publish his notice in any obscure paper in a distant village of the county, where no person in the city would ever see it. The bill was a vicious one and ought to be killed.

The motion to indefinitely postpone prevailed.

H. R. 621, by Dettweiler of Douglas, amending the road tax law and putting one-half of the road fund in the hands of the city council to be used under the direction and control of the Board of Park Commissioners in the improvement of park roads and boulevards, was recommended for passage.

The principal contention over the bill was between Dettweiler and Dwyer, the people of Omaha wanting the bill passed and the latter saying a large majority wanted it killed.

H. R. 347, by Fisher, for an act to create a state registry of brands and marks for such articles as state brand and mark committee was recommended for passage without discussion.

H. R. 303, by Israel, was taken up and the committee substitute discussed.

The bill provided for the establishment and maintenance of the experimental stations located by act of the legislature of 1891 at Culbertson, Gordon and Ogalalla and appropriating the sum of \$30,000 for the same, the money to be expended under direction of the State Board of Agriculture.

McCarthy moved to strike out the name Ogalalla wherever it occurs in the measure and substitute the name Emerson. If the state was going to spend money on experiments he believed it should be used in the eastern part of the state where agriculture is more of a success under present methods of farming. The amendment failed.

Before consideration of the bill was finished the committee arose and reported.

Pollard moved that the report on H. R. 10 be not considered, but that the bill be indefinitely postponed and demanded a roll call, which resulted, 32 yeas and 56 nays, a majority of the members being in favor of buying a house for the governor.

Myers moved that H. R. 517, which defines the boundary of Sarpy county, be advanced to third reading. It was so ordered.

After voting down a motion to adjourn to Monday the house adjourned to tomorrow at 9 a. m.

PROCEEDINGS OF THE SENATE.

Unsuccessful Attempt to Repeal the Resolution Concerning Stenographers.

LINCOLN, March 24.—(Special.)—When the senate met this morning standing committee reports were made as follows: H. R. 251, to pass with amendments; S. F. 330, 231, 217 and 288, no recommendation.

The following bills were indefinitely postponed by report of the revenue committee: S. F. 269, relating to the school district levy; S. F. 261, that the aggregate school tax shall not exceed 1 per cent on the dollar valuation; S. F. 218, relating to the sale of property for delinquent taxes; S. F. 40, relating to the same subject; S. F. 294, same as above; S. F. 73, relating to certifying school district levies to the county board; S. F. 54, relating to submitting the question of voting bonds when the aggregate assessment exceeds \$150 on the \$100; S. F. 292, 221, 222, 259, 230 and 235, cutting down the maximum amounts that can be levied in various funds, which bills were dependent upon the passage of the Van Dusen revenue bill; S. F. 40, relating to the salaries of clerks of the district court.

Senator Van Dusen called up his resolution relating to the present state of disrepair of the capitol. He said some of his fusion friends thought the resolution censured the board of public lands and buildings, and for that reason he was willing to strike out the last "whereas," to which they objected. Canaday of Kearney and Schaaf of Sarpy said they were willing for the resolution to pass as originally drafted. It was therefore adopted without amendment.

Rocke of Lancaster offered the following resolution: Whereas, during the early portion of this session resolutions have been passed by the senate which reflect on Colonel John M. Stoenburg of the First Nebraska regiment at Manila, and requesting his recall from command thereof; and

Whereas, such resolutions were adopted without any hearing on the part or in behalf of said colonel, and in the light of recent information as to his conduct in battle and command of the regiment, those resolutions seem to do the colonel an injustice; therefore,

Resolved, That the resolutions above referred to be rescinded and wholly expunged from the records of this body.

It was moved that the rules be suspended and the motion put on its passage. This motion brought out considerable opposition and points of order that the motion attempted to reconsider the action of the senate taken early in the session. The chair held that a motion to rescind and expunge was in order always. Otherwise legislative bodies would have no chance to correct mistakes that had been made. The motion to suspend the rules failed to carry, the vote being 12 to 18.

It lays over one day under the rules. Senator Fowler offered the following motion to the effect that hereafter all speeches be limited to five minutes each, and that no senator be allowed to speak twice on the same subject either in open session or in committee of the whole, except that in committee of the whole be allowed two minutes in closing, and that in discussing bills in committee of the senate the senator speaking having charge thereof be allowed five minutes in closing.

Farrell of Merrick objected on the ground that it robbed the members of their constitutional right—the freedom of speech. He saw a deep laid scheme of tampering with the rights of the senate. He hoped to be able to do something to prevent the motion, and he did it in hopes of expediting business.

Canaday of Kearney raised the point of order that the motion was out of order, as it tried to fix rules for the committee of the whole, which the senate had no power to do. The chair sustained his point.

The motion was amended to exclude the committee of the whole, and adopted as amended. As in committee of the whole is the place where long winded speeches are made, the motion will not have the effect desired.

The clerk of the house announced the passage of H. R. 85 and 601, and the in-

definite postponement of S. F. 223, Senator Crow's bill relating to paving in Omaha. H. R. 93 and 127 were sent to the governor.

The following bills were passed: S. F. 91, by Noyes, making the Friday nearest the middle of May "Bird day"; S. F. 299, the Talbot concurrent resolution relating to money due the state educational fund from the sale of the Pascoe reservation by the government; S. F. 99, relating to the issuance of teachers' certificates by county superintendents, and S. F. 213, by Newell, fixing printers' fees.

S. F. 38 was recommended to correct errors in engrossment.

The sifting committee reported the list of bills for advancement, following S. F. 284 as follows: H. R. 240, S. F. 304, H. R. 191, S. F. 231, 184, 319, 388, 302, 176, 238, 249.

The senate did not concur in the report on S. F. 283, and it was indefinitely postponed.

H. R. 561, the general appropriation bill, was given its first reading.

In the afternoon Talbot of Lancaster moved that the printers of the blue book be instructed to furnish 250 copies to the secretary of the senate. He said his motion was in accordance with a resolution passed early in the session. The motion prevailed by a light vote.

In committee of the whole S. F. 211 and 212, relating to roads, were recommended to pass.

S. F. 172 was amended to exclude the packing houses, and recommended to pass. It is the bill providing that persons selling beef shall exhibit the hides to the purchaser.

Progress was reported in H. R. 264, with leave to the committee to make any amendments they may see fit to make. Appropriates \$55,000 to build a library at the Peru Normal school.

H. R. 240, providing that the Omaha Board of Education shall annually fix the local school rate, and making it imperative upon the city council to provide for the amount so levied, was recommended to pass.

S. F. 304, relating to water rights and irrigation, was recommended to pass.

The substitute for S. F. 319 was recommended to pass.

S. F. 338, the Prout bill to provide a revenue commission, was recommended to pass.

Senate Sifting Committee's Report.

LINCOLN, March 24.—(Special Telegram.)—The senate sifting committee will report the following bills for advancement tomorrow in the order named:

S. F. 240, S. F. 240, by Prout, relating to the admission of feeble minded children to the institute at Beatrice; S. F. 330, by Prout, relating to the refunding of precinct bonds of any county; S. F. 287, by Talbot, to authorize the use of voting machines; S. F. 266, by Talbot, to compel railroads to report to the auditor their property for taxation; S. F. 284, by Prout, relating to the conveyance and relinquishing of the real property of insane persons; S. F. 251, by Prout, to present medals to the Nebraska volunteers; S. F. 291, by Prout, to amend the civil code relating to drawing jurors; S. F. 323, by Barton, to regulate the sale of baking powder and requiring the ingredients to be printed upon the package; S. F. 191, by Talbot, relating to the sale of perishable property and live stock by railroads; S. F. 302, by Van Dusen, providing a boundary commission to fix the boundary between Nebraska, Iowa and Missouri; S. F. 327, by Barton, to prevent one person, firm or corporation from getting more than one license for the same period of time; H. R. 330, by Milburn, to locate two normal schools; H. R. 285, by Mann, authorizing the organization of mutual insurance companies to insure loss from death by disease; H. R. 362, by Weaver, the bill locating the state fair permanently in Lincoln; H. R. 192 and 198, by Beverly, the child labor bills; H. R. 271, by Olmsted, the barber commission bill; H. R. 287, by Pollard, appropriating money for the horticultural society; H. R. 43, a curative act relating to the crime of adultery.

Bills Advanced by Sifting Committee.

LINCOLN, March 24.—(Special.)—The bills reported for advancement by the house committee this morning were as follows:

H. R. 603 and 600, the miscellaneous claims bills; 599, the bill to pay claims for books purchased for the state library; 610, Moran's bill to amend the act of 1897, relating to the bill to provide against the sale of adulterated food; 315, by Anderson of Fillmore, appropriating money for the relief of J. H. Evans, Joseph Crow, John H. Butler, Frank Burman and Levi Cox, the Douglas county boys, who were unjustly convicted by the legislature of 1897; 412, Menninger's bill authorizing the purchase of forty acres of land for the Norfolk asylum; 314, by Wilcox, amending the statute so as to permit state and county officials to give surety bonds; 259, by Dettweiler, relating to regulating the art of midwifery; 259, by Sturges, amending the law relating to the labor bureau, and enlarging the powers and duties of the labor commissioner; 230, by H. R. 251, to amend the act of 1897, under the control of the Board of Public Lands and Buildings and giving the appointive power to the governor; 141, by Olmsted, providing for the union label on state printing; 429, by Keister, authorizing the governor to issue pardons from the penitentiary; 402, by Smith of Saline, relating to the issuance of school certificates and diplomas.

Signed by the Governor.

LINCOLN, March 24.—(Special.)—The governor today affixed his signature to the following bills:

S. F. 266—Allowing cities of the second class, villages and counties to take up and pay off bonds.

S. F. 132—An act to amend section 15, chapter xxviii, entitled "Fees."

H. R. 93—Amending section 601-A, Civil Code.

H. R. 88—An act concerning the compensation of receivers.

H. R. 157—To prevent the writing of "overhead" insurance.

H. R. 197—To legalize acknowledgments and oaths taken before commissioners of deeds.

H. R. 252—Authorizing cities of the second class and villages to issue bonds in the aid of internal improvements.

Blue Books for the Senate.

LINCOLN, March 24.—(Special.)—By a feeble vote this afternoon the senate instructed a local publishing firm to furnish copies of the report of the committee of the 1899 "blue book." Senator Talbot introduced the motion and said it was passed in accordance with the resolution passed early in the session subscribing for 250 copies of the publication. However, did not consider the resolution binding, and he wanted a new motion made, which was done. Nothing was said about the cost of the books being \$3 each, making an outlay of \$750.

Looking for a Superintendent.

LINCOLN, March 24.—(Special Telegram.)—The state officials are still wrestling with the problem of the superintendency at Kearney. The resignation of Dr. Gary Hoxie and the declination of John Sprecher makes it incumbent on the board and the governor to find some patriot. One member of the board has two relatives on the payroll out there and the new superintendent will be required to keep them in good, easy berth. Governor Harris of

Nemaha county was here today, and it is said that he could be prevailed upon to take the place.

Governor Harris, it is reported, has been offered and declined the position. It is said that he has his eye on the superintendency of the school for the blind at Nebraska City. Two teachers discharged by Hoxie have been reinstated and another, a son-in-law of the late Congressman W. L. Greene, has been let out.

Funeral of Old Resident.

FREMONT, Neb., March 24.—(Special.)—The funeral of Mrs. J. H. Peters, one of the oldest residents of the state, was held this afternoon from the church at Fremont. Mrs. Peters was born in Ohio in 1822. In 1856 she came to Dodge county with her husband and family. Mr. Peters took up a tract of land between Nickerson and Fontanelle, where the family has since resided. Her husband, two sons and three daughters and several grandchildren survive her.

Burglars at Hornbaldt.

HORNBLADT, Neb., March 24.—(Special.)—The clothing store of G. Wornack & Co. was entered by burglars last night and considerable plunder carried away. The store has been entered several times recently.

Clara Wells of this city was accidentally shot in the foot while hunting rats at her father's barn.

TODAY'S WEATHER FORECAST

Showers and West Winds in Iowa; Colder Tonight with North Winds to Nebraska.

WASHINGTON, March 24.—Forecast for Saturday: For Nebraska—Cloudy, probably showers; colder in western portion; colder Saturday night; winds becoming northerly.

For Kansas—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For South Dakota—Rain or snow; colder; northerly winds.

For Missouri—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Iowa—Showers; south to west winds.

For Mississippi—Showers; colder Saturday night; southerly, shifting to northerly winds.

For Arkansas—Rain or snow; colder; northerly winds.

For Louisiana—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Texas—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Oklahoma—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Colorado—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Wyoming—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Montana—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For North Dakota—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For South Dakota—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Nebraska—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Kansas—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Missouri—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Arkansas—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

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For Texas—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

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For Missouri—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Arkansas—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Louisiana—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

For Texas—Fair, except probably rain in northeast portion; colder Saturday night; winds becoming northerly.

Thin, pale and consumptive persons should use some constructive tonic that will enrich the blood, increase the nerve force and renew wasted tissues.

Scott's Emulsion is based upon scientific principles. We digest the oil for you by mechanical processes, thus strengthening your digestive organs by resting them. It stops wasting, and produces energy, vigor and warmth. The hypophosphites in it invigorates the nerves, and brain tissues.

See and \$1.00, all druggists. SCOTT & BROWN, Chemists, New York.

CONGRESSMAN BOTKIN,

The Well-Known Kansas Statesman, Cured of Catarrh of the Stomach by Pe-ru-na,

AFTER TWENTY-FIVE YEARS' SUFFERING.

More Evidence of Interest to the Millions of Catarrh Sufferers of the United States.

Dr. Bennett's Electric Belt

Health and Pleasures May Again Be Yours by the Proper Application of Electricity—Dr. Bennett's Electric Belt is Indorsed by Physicians and Thousands of Satisfied Patients.

My Electric Belt has brought back youthful vigor and clean, strong health to thousands of sufferers. If you will look into the facts, which I will furnish if you will, you will know my belt is all that is needed to cure Sexual Impotency, Lost Manhood, Varicocele, Spermatorrhea, and all Sexual Troubles. It cures either sex; it will restore Shrunken or Undeveloped Organs and Vitality; cure Rheumatism in any form, Kidney, Liver and Bladder Troubles, Chronic Constipation, Chronic Venous Debility, Dyspepsia, and all Chronic Complaints, etc.

To be sound and well, sexually and otherwise, is the duty of every man—you owe this duty to yourself and the human race—you owe it to your family if you have one, or even if you have none. It is your duty to the people with whom you associate every day when a man is suffering from impotency and discomfort of a disease that unfit him for manhood's happy sphere, he is unfit for either the work of his life or the life itself. It is important that you be cured—and cured as quickly as possible—for these Sexual Diseases gradually fix themselves upon the entire system, drawing from it all the strength and vitality, and causing rapid decay and untold suffering, both mental and physical.

Dr. Bennett's Electric Belt

Will cure you and I will guarantee the cure in every case where I recommend the treatment of my Belt. If it will not cure you I will tell you so. Electricity is the Vital and Nerve Force of every human being—it is Life Itself. Where there is a lack of this Vital Force in the human system, to be well again you must supply this lost