

ATTACK THE PURE FOOD LAW

Creamery Operator Who Neglected to Take Out License Makes Test Case.

INVOLVES VALIDITY OF OTHER ACTS

Supreme Court Bar Commission Formulates Conditions Under Which Attorneys May Be Admitted to Practice in Nebraska.

(From a Staff Correspondent.) LINCOLN, April 18.—(Special.)—The Nebraska pure food law is being vigorously attacked in the supreme court on the ground that it is unconstitutional. The chief contention is that the act is in violation of that section of the constitution which prohibits the creation of state officers by the legislature.

The case is one in which John C. Merrill of Sutton was convicted for operating a creamery without having first procured a license from the food commissioner. No question arises as to the facts, the only defense interposed being that the law under which conviction was had is void. The suit is being watched with unusual interest by manufacturers of both pure and imitation butter, dairy and vinegar products. The question involved is one of far-reaching importance, however, for it will affect not only the dairy interests, but those persons who come within the meaning of various other laws which have been created or established new state offices. Among these offices are those of the deputy labor commissioner and deputy oil inspector. The law adds to the governor the duties of oil inspector, labor commissioner, food commissioner and several other officers, but authorizes him to appoint deputies, who are required to do the work of their departments. Official papers of these departments are signed by the governor, but all other business is transacted or conducted by the deputies. Each office is provided for by a separate act of the legislature, but the general plan of operation is the same in all of them, so that the decision of the court in the pure food case may be held to apply to all other offices of like origin.

An extensive brief on Merrill's side of the case was presented to the court today. It is argued that the legislature undoubtedly intended to create a new office when it passed the pure food law, and that therefore the act is void and should be so declared by the court. The State Board of Agriculture met in regular session tonight, allowed a few claims and attended to matters in connection with the next state fair. Because of the great expense that would attach to fighting, the members were inclined to believe that the idea of holding night entertainments during the fair should be abandoned, but no formal action, however, was taken.

A statement was given to the public explaining the controversy over the right of transportation companies to build tracks into the grounds and giving the assurance that the dispute would soon be satisfactorily settled.

Bar Fixes Conditions.

The bar commission of the supreme court has issued the following bulletin of conditions governing the admission of attorneys to practice in the Nebraska courts: Every applicant must be 21 years of age, a resident of the state and a citizen of the United States.

All applications should be made at least four weeks before the second Tuesday of June and November, at which times the bar commission meets to examine applicants and to pass upon applications. Every applicant must make application in his own handwriting. He must also furnish the certificate of his preceptor (who must be a resident of Nebraska for at least two years) and a certificate of good standing in the community where he resides that he is of good reputation and good moral character, and the names and addresses of three other persons of whom inquiry respecting his standing may be made.

General Bates Visits Fort Crook. FORT CROOK, Neb., April 18.—(Special Telegram.)—General Bates, commanding the Department of the Missouri, with two of his aides, were at the fort today to take part in and witness the examination of Lieutenant Bridges for promotion to a captaincy. The examination consisted of a battalion drill, general formation and field exercises, which were very satisfactory.

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Bar Remembers Judge Barton.

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When the Blood is Impure. Everything goes wrong. The digestion is bad. The head aches. The brain is dull. The nerves weaken. And the skin is nearly ruined. Your doctor knows what medicines will cure these troubles: the medicines that are in Ayer's Sarsaparilla. Consult him freely.

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The trouble occurred near the homes of the men, all of whom are neighbors.

Secretary Royce of the State Banking board this afternoon issued a charter to the Commercial bank of Naper, Boyd county, which is incorporated with a capital stock of \$6,000. Its incorporators are: G. A. Erickson, R. R. Naper, B. F. Chapman and H. P. Slaughter.

MAY CAMP AT WEEPING WATER

Omaha High School Cadets Contemplate Outing at that Place During Latter Part of May.

WEEPING WATER, Neb., April 18.—(Special.)—Prof. A. H. Waterhouse and Lieutenant Thomett of Omaha met the citizens of Weeping Water last evening to make arrangements and present a proposition to bring the High school cadets here for the annual outing. The matter was not settled definitely, but the business men are to report later.

It is expected that there will be 350 cadets going into camp and that they will be here during Decoration day. An excursion train may be run from Omaha May 20, bringing about 800 people.

Nebraska Cities Opposed to Charter.

GRAND ISLAND, Neb., April 18.—(Special.)—There is expressed considerable dissatisfaction with a number of the provisions of the new charter governing cities of this class, more than 5,000 and less than 25,000 population, and at a recent meeting of the city council the suggestion made by Councilman W. F. McLaughlin that a committee be appointed to confer with like committees from the other cities of the Grand Island class, state what changes would be desirable, with the end in view to formulate a new charter for passage by the next legislature. Mr. McLaughlin has consulted with a number of authorities from some of the other cities and it is quite likely that such a move would meet with favor by all.

Squanders Wife's Money.

YORK, Neb., April 18.—(Special.)—Charles Mason, Fred Schermer, Charles Mullen and Ora Froid, who are charged with gambling by Mrs. Bemis of Bradshaw, waived examination and were bound over to the district court. Charles Bemis, husband of Mrs. Bemis, who makes the complaint, has left town. Bemis recently failed. His wife alleges that last week her husband ran short of money in a poker game that was played in their house and that her husband compelled her by threats to furnish him with more money. This money that she was compelled to hand over to her husband was sent to her by her father.

Pass Rigid Saloon Ordinance.

GRAND ISLAND, Neb., April 18.—(Special.)—At the meeting of the council last evening an ordinance regulating booths or wineries in saloons was passed. The ordinance makes it a misdemeanor punishable by a fine of not less than \$25 or more than \$100 to have any door, curtain or screen over or in front of any booth, winery or other rooms built within a saloon. The ordinance is the result of an individual dealer refusing to remove the door and is not a matter remedying any general complaint.

License Seat Proposed for Osceola.

OSCEOLA, Neb., April 18.—(Special.)—At a meeting of the village trustees a new scale for the licensing of saloons was proposed, as follows: For the first license issued the amount is fixed at \$2,000, for the second \$1,500, for the third \$1,000, for the fourth \$1,100, and for all succeeding ones \$800. No agreement has been reached at present, but the matter will be kept continually before the board until some settlement is made.

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The Illustrated Bee.

INTERESTING ALWAYS IS the record of The Illustrated Bee. It is never dull. It never disappoints. Each issue contains just what the readers expect plenty of pictures, illustrating events of general interest, people of note or timely articles on topics of moment. The text being prepared as carefully as the illustrations. The Bee strives to maintain it.

NEBRASKA'S OWN HOLIDAY is Arbor day. The idea, originated by a Nebraska man and fostered by Nebraska people, has expanded until it is continent-wide in its application. Yet Nebraska people are still among the chief beneficiaries of the custom. For proof of this see the sturdy trees that grow in commemoration of the event. A picture most appropriate for the day, made by a staff artist, is used as a frontpiece. It will appeal to every tree planter's heart.

GOOD ROADS MAKING is as near the heart of western people as the planting of trees. In the coming number of The Illustrated Bee will be found an article by H. W. Richardson, who has gone as a representative of the government with the Good Roads train of the Southern Railway over its lines through the south. Mr. Richardson tells of methods and results, and furnishes a splendid series of photographs, from which illustrations have been made. The article will be found educational as well as interesting.

SOCIAL RIVALRIES AT WASHINGTON are taking on even a keener zest. The struggle for recognition was never so much in earnest as at present. A well written article tells of how the little warfare is being carried on. For illustrations pictures made from photographs of five of the best known women at the capital are used.

CHILDREN AND DANCING SCHOOLS is the title of a chapter devoted to the social education of the growing generation. The writer tells of the advantages that accrue from the early mingling of the sexes in the ball room and the real good that follows instruction in the polite accomplishments of the day. It is illustrated from photographs made by a staff photographer.

UNCLE SAM'S PIGMIES, the dwarf race of Negritos, who live in the interior of Luzon are told of by Frank G. Carpenter in his weekly letter. Mr. Carpenter was among them with General Fred Grant, and had as good an opportunity to observe and learn of their habits, customs, etc., as ever fell to an investigator. Photographs made in their forest haunts are used to illustrate the article.

MANY OTHER ILLUSTRATIONS will be found in the paper, in addition to those here enumerated. The regular features of The Illustrated Bee have all been given the customary care, and the number is one of general interest and value. If you are not already a subscriber, you should order this paper from your newsdealer today.

The Illustrated Bee.

SOUTH DAKOTA AND WYOMING

Lunatics Increase in South Dakota.

PIERRE, S. D., April 18.—(Special.)—The quarterly report of the superintendent of the insane asylum at Yankton has been filed with the state auditor and shows an increase of twenty in the number of patients in that institution from January 1 to April 1. The total number in the institution at the end of the last quarter was 527, and at the end of the present quarter 547. During that time thirty-four patients have been admitted, eight discharged, three have died, one escaped, one returned and three are on trial. Buffalo is the only county of the state which is not represented in the institution, while Lawrence county leads with forty-one patients, Minnehaha has thirty-one and Union twenty-four.

Wyoming Court Lacks Jurisdiction.

EVANSTON, Wyo., April 18.—(Special.)—Judge Craig has ruled that the Wyoming courts have no jurisdiction in the case of the Perry Compression Company of Omaha against William Heap, the ranchman, who is being prosecuted on a charge of obtaining money under false pretenses. Heap borrowed several thousand dollars from the Omaha commission firm, giving a mortgage on a herd of cattle which, it is alleged, he never owned. When arrested a year ago Heap owned less than twenty head of stock.

New Railroad for Missouri.

JEFFERSON CITY, Mo., April 18.—(Special.)—The secretary of state today chartered the St. Louis & Gulf Railroad company of St. Louis, with a capital stock of \$2,000,000. The proposed road is to extend from Cape Girardeau to the Arkansas state line in Dunklin county, a distance of 135 miles. I. W. Frisette, J. H. Allen, C. W. Whitlaw and E. Smith are the directors.

Work Starts on Federal Building.

CHEYENNE, Wyo., April 18.—(Special.)—A large force of men has been engaged and the first stone on the superstructure of the federal building here will be laid next Monday. Stone is now being received regularly from the quarries at Rawlins and it is expected that work on the building will now proceed without interruption.

McKilwain Gets Four Years.

YANKTON, S. D., April 18.—(Special.)—George McKilwain of Gayville has been sentenced to four years in the state penitentiary for killing John Gray in a saloon room in Gayville last fall. He has been tried twice and found guilty both times.

TROUBLE BREWS IN RUSSIA

Eighteen Hundred Students Implicated in the Recent Riots Are Arrested.

FOUR HUNDRED ARE TO BE EXILED

Political Prisoners Long in Prison Resort to Starvation to Hasten Their Release by the Government.

ST. PETERSBURG, March 12.—(Correspondence of the Associated Press.)—The St. Petersburg university and a number of other higher educational institutions were opened yesterday. The attendance was light and bottles of ill-smelling chemicals were opened in many of the lecture rooms. Student reports give the total number of arrests in Moscow during the last two or three weeks as 1,800. They anticipate the exile to Siberia of the greater part of the 400 students who offered the government armed resistance in the University of Moscow.

Prof. Timiriaseff, at Moscow, is reported to have refused to co-operate in meeting out punishment to students, on the ground that his lecture room had been filled with strange persons whom he took to be spies, while his former students were nowhere to be seen.

The turbulent elements continue to utilize the theaters as places for the distribution of revolutionary literature. At Nijni-Novgorod, during the recent celebration of the birthday anniversary of Gogol, the Russian author, leaflets were thrown from the gallery of a theater at a moment when the place was darkened. The ushers picked up the packages and began distributing them, thinking they were theatrical notices.

Prisoners Starve Themselves.

From many towns it is reported that political prisoners are generally resorting to starvation in order to force their release or obtain a hearing. Forty-eight persons thus secured their release a short time ago from a detention prison in this city, where they had been held without an inquiry for nearly a year. Six others have so reduced their strength as to necessitate their removal to a prison hospital. In the great transport prison for condemned criminals here, which is now filled with political prisoners, the wardens are seeking to dissuade their charges from refusing food by promising their release shortly.

Many students are preparing to go abroad for study. It is said that this action has caused more serious attention to be given to the project, attributed to the finance minister, M. Witte, to increase the fee for the issue of a passport to go abroad from 15 roubles to a sum possibly many times larger than this amount. General report has it that M. Witte has proposed to charge all Russians who desired to go abroad 300 roubles for the first six months and 200 roubles for each additional half year. Fiscal as well as political reasons are urged in favor of this project, considering the fact that rich Russians are wasting the wealth of their country in Paris and Monte Carlo. The passport fee was increased about two years ago from 5 to 15 roubles per half year, the addition being for the benefit of the Red Cross society. Examinations continue to pay 5 roubles for permission to cross the Russian frontier.

Herred Names Game Wardens.

PIERRE, S. D., April 18.—(Special.)—Game wardens who have been appointed by Governor Herred today are: Clay county, C. W. Doan, Vermillion; Buffalo county, Charles S. Oates, Gann Valley; Hanson county, W. J. Murray, Alexandria; Lincoln county, W. H. Shaaf, Canton.

Ranch Company Incorporates.

LARAMIE, Wyo., April 18.—(Special.)—The Iron Mountain Ranch company has been incorporated, with a capital stock of \$100,000. The incorporators are: Frank C. Boesler, Conrad Hamletton and John C. Coble. The main ranch is located at Bosler, west of here.

Medical Examiners Organized.

LARAMIE, Wyo., April 18.—(Special.)—The State Board of Medical examiners last night elected the following officers: President, Dr. Miller, Laramie; secretary, Dr. G. P. Johnston, Cheyenne; treasurer, Dr. E. E. Leavers, Spring Valley.

Mail Train Collides with Helper.

CHEYENNE, Wyo., April 18.—(Special.)—A slight wreck occurred at Ozone, a few miles west of Cheyenne, at an early hour this morning, when a mail train ran into the side of a freight helper. Traffic was delayed less than an hour.

Choose Site for Yankton Library.

YANKTON, S. D., April 18.—(Special.)—The Carnegie library site is on the corner of Fourth and Capitol streets and work will begin on the building as soon as the plans can be submitted and approved.

PROMISE OF THE WEATHER MAN

Fair Saturday and Sunday and Cooler Sunday in Southeast Nebraska.

WASHINGTON, April 18.—Forecast: For Nebraska—Fair Saturday; cooler in southeast portion Sunday; fair in northern portion; variable winds.

For Iowa and Missouri—Fair and cooler Saturday; Sunday fair; northwest winds.

For North Dakota—Fair Saturday, with warmer in south portion; Sunday fair; southeast winds.

For South Dakota—Fair and warmer Saturday; Sunday fair; southeast winds.

For Colorado, Wyoming and Utah—Fair Saturday and Sunday; variable winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, Omaha, April 18.—Office record of temperature and precipitation compared with the corresponding day of the last three years:

Table with columns for Year, Maximum temperature, Minimum temperature, Mean temperature, Precipitation, and Excess or deficiency.

Reports from stations at 7 p. m.

CONDITION OF THE WEATHER

Table with columns for Location, Maximum temperature, Minimum temperature, Mean temperature, and Precipitation.

HOW TWO BEAUTIFUL WOMEN ESCAPED SPRING CATARRH BY USE OF PE-RU-NA.

Nothing Robs One of Strength Like Spring Catarrh—Spring Fever is Spring Catarrh.



MRS. LEONE DOLEHAN

Mrs. Leone Dolehan, in a letter from the Commercial Hotel, Minneapolis, Minn., writes: 'The Peruna Medicine Co., Columbus, O. Gentlemen:—For two months my physician experimented with me trying to cure a hard cold which settled in my stomach, causing inflammation and catarrh. I then made up my mind that he was simply unable to help me, and reading some of the flattering testimonials as to the value of Peruna in such cases, I thought I would try it. "It was six weeks before I could eat a meal without unpleasant effects, but I have now been well for six months, and I give all the credit to Peruna." MRS. LEONE DOLEHAN.

How to Get Strong Nerves.

First, repair the injury already done to your nerves. The way to do this is to do exactly as did Mattie B. Curtis, secretary of the Legion of Loyal Women, Hotel Salem, Boston, Mass. She said in a recent letter: "I suffered for over a year with general weakness and debility manifested in severe headache and backache. I took four bottles of Peruna and for two months have been entirely free from these maladies."

Nervous Prostration.

Thousands of cases might be quoted in which Peruna has been used to rescue people from the perdition of deranged nerves and put them on the good, solid foundation of health. The county auditor of Erie county, New York, Hon. John W. Nell, in a recent letter, written at Buffalo, N. Y., stated: "I was persuaded by a friend to try a bottle of your great nerve tonic, Peruna, and the results were so gratifying that I am more than pleased to recommend it."



HELEN WHITMAN

Miss Helen Whitman, 308 1/2 Grand avenue, Milwaukee, Wis., writes: "There is nothing like Peruna for that tired feeling, which gives you no ambition to work or play. After a prolonged illness, about a year ago I felt unable to regain my health, but four bottles of Peruna made a wonderful change and restored me to perfect health. As long as you keep your blood in good condition you are all right, and Peruna is the best to fill the veins with pure, healthful blood. I thoroughly endorse it." MISS HELEN WHITMAN.

A Spring Tonic.

Almost everybody needs a tonic in the spring. Something to brace the nerves, invigorate the brain and cleanse the blood. That Peruna will do this is beyond all question. Every one who has tried it has had the same experience as Mrs. D. W. Timberlake of Lynchburg, Va., who, in a recent letter, made use of the following words: "I always take a dose of Peruna after business hours, as it is a great thing for the nerves. There is no better spring tonic and I have used about all of them."

Catarrh in Spring.

The spring is the best time to treat catarrh. Nature renews herself every spring. The system is rejuvenated by spring weather. Something to brace the nerves, invigorate the brain and cleanse the blood, assisted by the balmy air of spring, will cure old, stubborn cases of catarrh that have resisted treatment for years. Everybody should have a copy of Dr. Hartman's latest book on catarrh. Address: The Peruna Medicine Co., Columbus, Ohio. If you do not derive prompt and satisfactory results from the use of Peruna write at once to Dr. Hartman, giving a full statement of your case, and he will be pleased to give you his valuable advice gratis. Address: Dr. Hartman, President of The Hartman Sanitarium, Columbus, O.

BRANDEIS BOSTON STORE & SONS ON MAIN FLOOR. Men's \$3.50 Shoes, \$1.95 Saturday. Geo. E. Keith's Hand-Made Shoes, regular retail price \$3.50 pair, special \$1.95. A sale that should interest every man in the city. There are only about 2,500 pairs. Come early if you want your size. Men's Russia calf vici kid and satin calf shoes, in London tip and plain toe, also George E. Keith's hand-made shoes that retail everywhere in the United States at \$3.50 a pair, will be placed on sale tomorrow at \$1.95 a pair. This is a shoe opportunity that you should not miss. A dollar and a half is worth saving, we believe. Remember, there are only about 2,500 pair in the lot and if you want your size be sure and come tomorrow. Women's \$3 Shoes \$1.98 Pr. Ladies' high grade footwear, in the newest styles, made of fine quality vici kid, in patent and kid tip, light and heavy soles. Every pair was made by first class shoemakers. The maker figured on selling them for more than you are required to pay tomorrow. The women that want more than their money's worth in fine shoes should attend this sale. Saturday's Special price, \$1.98 Every pair worth \$3.