

Nebraska COURT RULES IN FOOD CASE Holding of Ex-Food Commissioner J. W. Johnson Overruled.

WRAPPED HAM NOT PACKAGE Selects C. W. McMichael of Holdrege and R. I. Elliott of Chadron Principals Junior Normal Schools.

(From a Staff Correspondent.) LINCOLN, April 24.—(Special.)—The supreme court today overruled J. W. Johnson, former deputy state food commissioner, who prosecuted Swift and Company for not branding the net weight of wrapped ham and bacon.

The court decided that the district court of Lancaster county decided justly when it held that ham and bacon are not packages in the sense used in the old food law. The subject of branding meat is a dead issue at this time because the last legislature amended the law under which Johnson operated.

What Court Says. "It must be conceded," says the supreme court, "that the term 'package,' is at best a vague one and liable to various interpretations. It is well known that many articles of food are packed, bound or put together in sizes determined by the manufacturer, and intended to pass in trade from hand to hand as given weight or measure.

The court says that where a statute is of doubtful meaning recourse must be had to the record to disclose what the purposes of the legislature were. This, it is evident, was to prohibit various kinds of fraud and deceit too often practiced in recent years in the manufacture and sale of food products, says the court. The court holds that it is apparent that the processes resorted to by the packers in wrapping their meats were for the purpose of enhancing their value as food products and by wrapping them in the manner as determined by the evidence, no fraud or deceit is practiced on the purchaser because he has the choice of taking the wrapped or the unwrapped meat.

Junior Normal Principals. State Superintendent Bishop T. J. Majors and N. M. Graham, members of the new state normal board, decided to recommend C. W. McMichael, now city superintendent of schools at Holdrege, for the position of principal of the junior normal at Alma and R. I. Elliott, city superintendent of schools at Chadron, for principal at Broken Bow.

Self-Poisoning Constipation Fills the Blood With Impurities And Causes Skin Diseases.

Constipation poisons the body by rendering the blood impure. The blood becomes simply loaded with all manner of foreign material or impurities, which are absorbed from the large intestines, and carried to all parts of the system, causing headache, sallow or "muddy" complexion, and a feeling of general lassitude. When a continuous constipation is present, the impurities from the colon or large intestine collect in such immense quantities that the blood cannot be cleansed of them, although the lungs, kidneys and other purifying organs are compelled to work overtime in their efforts to eliminate them.

They must be eliminated from the system in some way or other, however, for if the accumulation in the blood continues, they will poison the system to such an extent, as will actually cause death, through what is known as auto-intoxication, or self-poisoning. The blood finding itself unable to eliminate the swiftly-accumulating poisons through the purifying organs, has nothing left to do but send them out through the pores in the form of boils, carbuncles, pimples, blackheads, and other skin eruptions.

Stuart's Calcium Water is the principal ingredient of which is that most powerful of all blood-purifiers, calcium sulphide, acts not only on the blood, eliminating all impurities therefrom, but also on the kidneys, liver and intestines, toning them up so that they are strengthened and become able to resume their functions as eliminators, and to prevent the self-poisoning of the system. The constipation is also cured, which prevents the absorption of impure or foreign matter into the blood, and, as a natural sequence, the pimples, boils, carbuncles, blackheads, and other skin-eruptions disappear at once. Don't make the mistake of attempting to cure skin diseases by the local application of salves, lotions, emollients, etc. You simply drive the disease from one point to another, while the real cause, the impurities in the blood remains as bad as ever. Give the blood a thorough spring-cleaning and renovating through the use of Stuart's Calcium Water, and you will not be annoyed by the presence of skin eruptions. Secure a box from your druggist and rid yourself of self-poisoning constipation and its attendant blood-and-skin disease. Also send us your name and address and we will forward you trial package free. Address F. A. Stuart Co., 115 Stuart Bldg., Marshall, Mo.

Nebraska this afternoon in the way of making appointments to add a colonel to his military staff. He appointed James C. Stitt of Norfolk.

The governor certified to the state auditor that A. M. Bovee of Peru is entitled to the state reward of \$4,000 for the discovery of coal. The auditor will draw a warrant on the State treasury, the legislature having provided funds for this purpose. Putting Love on Record. The democrats were incubating a little scheme today whereby a petition was to be presented to Mr. Love asking him to say whether he intended to vote for 6:30 closing or 6:00 closing. Mr. Malone came out to start in favor of 6:30 closing. He did not believe that he would not secure the vote, but would be backed by the liberal element. It is hoped, however, to put Love in a hole by making him choose between a stand which would neither insure him the vote only of the prohibitionists and give Malone those temperance votes that are not in favor of prohibition right now, or else, if he said he was for 6:30 closing, to make the prohibition forces lukewarm towards him.

Mr. Love distinctly stated in his declaration to the public that he would see to the right no matter of one of the two policies was decided upon by the people. His friends say that the move is simply a trick. Speaker Wins Liberal Suit. The supreme court today held that Editor John C. Sprecher of Schuyler did not libel Frank A. Sucha when he wrote some things in his paper about the way a jury list was drawn in his home county. Sucha was district clerk and as such participated in the drawing of the names. In his paper Sprecher complained that it was "remarkable and peculiar" that none of his friends naming them, were drawn on the panel while so many of his enemies, naming them, were found in the list. He added that they were good men and he did not care anyway. His particular concern arose from the fact that he had three cases down for trial before juries at that term of court.

Sucha filed suit for libel, complaining that it was meant to charge him with various things which he defined. Sprecher denied this, but asserted that what he printed was true. Sucha's attorneys asked the court to give an instruction that the article was libelous in itself and that the jury must find for plaintiff in some amount. The court refused to do this. The jury returned a verdict in favor of the editor. Sucha appealed. The supreme court holds that where an article is ambiguous or susceptible of two interpretations, it is proper for the jury to say whether the publication was libelous per se. The court finds that the verdict is sustained by the evidence.

Lawyer Wins Suit. District Judge Cornish this morning rendered judgment in the case of Alpha M. Shevaller against T. J. Doyle, finding for the defendant, that there is due the latter for services rendered \$500, which should be paid within twenty days or he may foreclose the mortgage which he holds against the residence property of plaintiff on Q street. Doyle holds a mortgage on this property for \$500, which was given him last July. It was originally executed to indemnify him for bond in the sum of \$500, which was furnished by him at the time Mrs. Shevaller was arrested on the grand larceny charge, and to secure attorney's fees of \$300 which he was to be paid for defending her against such charge. Later the woman was also arrested for perjury, but before either case was tried the district judge discharged Doyle and tendered him \$50 for the work he had done for her in appearing in police court at her preliminary examination on the grand larceny accusation. She demanded that the mortgage be released and when this was refused she brought suit to compel Doyle to accept the \$50 and release the lien.

Nine Horses Burn With Barn Contents, Including 2,500 Bushels of Grain and Farm Implements Destroyed.

TECUMSEH, Neb., April 24.—(Special Telegram.)—The barn of Lawrence Sorack, near St. Mary, in this county, with its contents, was burned to the ground last night. The contents included nine head of horses, 2,500 bushels of corn, several tons of hay, a buggy, implements, etc. The cause of the fire is not known. It was with difficulty the house was saved. Mr. Corack was protected by but a small insurance.

PHONE WAR AT AN END Bell System Connects with Independent Systems in Merrick County. CENTRAL CITY, Neb., April 24.—(Special.)—Peace seems to have been declared between the Bell and Independent telephone systems of this county after years of warring and disagreement. At a recent meeting of the Chapman Independent Telephone company's stockholders it was decided to connect with the Bell system, so that the independent subscribers could have the use of the Bell's toll lines. Under the new arrangement the independent subscribers can talk with Bell patrons at Central City by paying the toll charge of 15 cents.

A Dangerous Wound is rendered antiseptic by Bucklen's Arnica Salve, the healing wound for sores, burns, piles, eczema and salt rheum. See For sale by Beaton Drug Co.

The Weather. FOR NEBRASKA—Cooler. FOR IOWA—Showers and cooler in northern portion. Temperature at Omaha yesterday: Hour. Deg. 8 a. m. 45 9 a. m. 47 10 a. m. 47 11 a. m. 47 12 m. 45 1 p. m. 45 2 p. m. 45 3 p. m. 45 4 p. m. 45 5 p. m. 45 6 p. m. 45 7 p. m. 45

OFFICE OF THE WEATHER BUREAU, OMAHA, April 24.—Official record of temperature and precipitation compared with the corresponding day of the last three years. Maximum temperature, 1908, 1909, 1907. Minimum temperature, 45 52 38 27. Mean temperature, 56 62 64 74. Precipitation, .07 1.7 0.6. Normal temperature, 54. Excess for the day, 2. Deficiency since March 1, 1.25. Normal precipitation, 13.3 inches. Deficiency for the day, 6.2 inches. Total rainfall since March 1, 2.15 inches. Deficiency since March 1, 2.15 inches. Deficiency for year period, 1908, 2.42 inches. Deficiency for year period, 1907, 2.42 inches. J. A. WELSH, Local Forecaster.

Nebraska Travelers End Their Work at Convention

Next Meeting Will Be Held at Grand Island—W. C. Alexander of Hastings President.

BEATRICE, Neb., April 24.—(Special Telegram.)—The Travelers Protective association closed its state convention here today and selected Grand Island as the place for holding the next annual meeting. The morning session was opened with an address of welcome by J. W. Burgess, with response by Samuel English of Lincoln. The session was devoted to hearing committee reports and general routine business. The legislative committee reported favorable legislation accomplished along various lines, notably the 3-cent fare bill, hotel fire escapes and the Sink bed sheet bill. A resolution was passed extending thanks to Representative Sink and his colleagues in securing the passage of the latter measure. W. C. Alexander of Hastings was elected president on the second ballot over Carl J. Cehltree of Omaha and C. A. Warrick of Omaha. Other officers elected are: First vice president, C. M. Cruncheon of Beatrice; other vice presidents, A. F. Sterns of Norfolk, Harvey Hitch of Lincoln, M. Golden of Nebraska City and T. J. Cunningham of Grand Island; secretary, treasurer, C. L. Hopper of Omaha; delegates to national convention, W. G. Hald, F. B. Holbrook, R. B. Trimble, A. B. Hoag, W. D. Eck, E. G. Eldridge and W. D. Fay of Omaha, W. H. Garaok, C. A. Warrick and F. B. Meyer of Lincoln, R. T. Hanson of Fremont, F. J. Cunningham of post E. R. D. McPadden of post G and M. N. Barnes of post H, Beatrice.

The convention offered a vote of thanks to the people of Beatrice for the entertainment furnished and then adjourned. Finds No Merit Injunction Suit Lincoln Will Vote on Prohibition Issue at Municipal Election in May. (From a Staff Correspondent.) LINCOLN, April 24.—(Special.)—Judge Cornish this afternoon held that the injunction suit brought to restrain the submission of prohibition and 6:30 o'clock closing to the voters of the city at the May election was without merit. The dismissal of it was granted with the suit brought to restrain the holding of an election at all on the ground that the holding of a party primary was necessary before an election could be held—and not having been held there could be no election. In disposing of the suit Judge Cornish made no mention of the statute made of the controversy, but directed his remarks entirely to the one contention over whether the excise board has the right to submit to a vote of the people rules proposed for adoption. It was contended by E. C. Strode that the initiative and referendum law applied only to city ordinances, if it was good at all and had been properly adopted by the voters. He insisted that the statutes confined the activities of the excise board to liquor licenses exclusively. Judge Cornish held that the word "exclusive" as used in the statute meant that that power as to licenses was "exclusive" in the board as against the mayor and city council, but that it will not prevent the people from the exercise of the powers given them by the initiative and referendum law.

Neighbors at Norfolk Try to Induce Family to Remove from Neighborhood with This Result. NORFOLK, Neb., April 24.—(Special Telegram.)—Disturbed by the death of her twin babies and by a series of fortune telling seances attempted by a neighbor, Mrs. John Gamble, a Filipino, will probably be sent to the insane hospital here. Neighbors told her "fortune" to frighten her, so that the family would be forced to leave the neighborhood. Her husband, a negro veteran of three wars, has bought the house and is paying for it on the installment plan. He has appealed to the city authorities.

Who Owns Telegraph Lines? NEBRASKA CITY, Neb., April 24.—(Special.)—County Assessor William Dunn is checking over the holdings of the Burlington railway and the Western Union Telegraph company here. He finds that both corporations deny owning all of the telegraph lines which run along the right-of-way of that road in this and adjoining counties. These lines have escaped taxation for years and the county attorney has been instructed to bring suit for the back taxes and to ascertain to whom the lines belong. Mr. Dunn is of the opinion that the telegraph lines along all branch lines of the Burlington in this state have escaped taxation in the same manner. He has letters from the officers of both corporations denying the ownership of the lines.

Test for High School Law. ARLINGTON, Neb., April 24.—(Special.)—It begins to look as if the present high school law will have to be tested before district No. 24 of this city can collect tuition from district No. 27, which is east of this place. The school board of this district says that it will not pay until the supreme court decides the law constitutional and steps will be taken to collect the debt. Bessie Thomas is Kearney. KEARNEY, Neb., April 24.—(Special.)—Bessie Thomas appeared in Kearney Thursday afternoon and held a prolonged conversation with Don W. Hanlen, a former grade manager at the reform school. Mr. Hanlen was ignorant of Bessie's late crimes and did not interfere with her freedom. Bessie says he is going out west and expects to end up at Walnut, Wyo.

Child Starts Fire. NORFOLK, Neb., April 24.—(Special Telegram.)—Four-year-old Myron Collamer is supposed to have started a fire which cremated a horse belonging to Joseph Pfanz here today. The barn burned belonged to Dr. C. Verges.

Northwesterns Double Track. ARLINGTON, Neb., April 24.—(Special.)—The Northwestern has started a steam shovel to work in one of the cuts east of here and is dumping the dirt west of the Elkhorn river bridge. It is said this will be used as a part of the state track which will be built at once. The entire roadbed between this city and Fremont will be hauled from the clay cuts east of here.

Nebraska News Notes. BEATRICE—R. H. Conlee and R. S. Arthur yesterday purchased the elevator of W. N. Spellman on lower Court street. They will assume charge of the plant in a few days. KEARNEY—The town ball team of Shelton came up Friday afternoon and played the Normal team on the athletic park diamond. The normal boys won out by a score of 3 to 0. BEATRICE—J. C. Cathcart, a prominent farmer living eight miles southwest of this city, died suddenly this morning of heart trouble, aged 83 years. He leaves a widow and four children. BEATRICE—Rev. F. R. Wedge, who won a fast backing bout from Harry Forbes at Barneston, this county, where he is located at the time, was formerly a candidate at the recent election was unable to qualify as his present position of small carrier bars him from holding any municipal office. H. P. Buhman was elected chairman of the board and he appointed J. E. Spafford as village clerk and R. J. McNary village treasurer.

NEBRASKA CITY—The city council met last evening and granted saloon licenses to Chris Schneider, J. W. Hobson and George Bader, and a drugist permit to Henry Schwake. They then heard the remonstrance filed by H. P. Dixon against John P. Michelson, and overruled the same and granted the license. They then adjourned until next Friday evening, when they will take up the matter of granting the other licenses. There will be fifteen saloon licenses and five drugist permits granted for the coming year.

THE NEW STORE King-Swanson Co. The Home of Quality Clothes. You Can't Postpone Buying a Spring Suit Much Longer. The weather wont allow it—with these conditions in mind wouldn't it be a good idea to decide today where you will buy it? We offer the following plain truths for you to consider. Our store is unquestionably the largest and best. Our prices are backed by a "money-back guarantee" to be considerably less than a corresponding quality can be sold for at other stores. We offer you an assortment of all new Spring 1909 clothes, in greater variety than any other store can show, even if they include the carried overs from last year. \$15 to \$35. \$15 is a great price-level here—Saturday we sold what we think was the most \$15 suits any Omaha store sold—we might be wrong, but if any store sold more they had to "go some" and then some more. \$15.

Attempt to Kill Italian Priest Man Who Had Been Arrested in Bomb Outrage Case is His Assailant. NEWARK, N. J., April 24.—An attempt to assassinate the Rev. Giacomo Scucardi, pastor of St. Rose's Roman Catholic church here, was made on the parochial grounds today. The would-be assassin fired two shots at the priest as the latter was standing in the door of the parochial school house, but did not wound him. The priest's assailant, who said his name was Salvatore Musumeci, surrendered to the police immediately after the shooting. An investigation, with a view to developing a motive, has been instituted. Father Scucardi recently brought suit against Musumeci for \$10,000 for defamation of character. The priest worked with the police on a bomb outrage of a year ago and when Musumeci was arrested in connection with it he attributed his arrest to the priest.

Agents for Globe-Wernicks Elastic Bookcases. FURNISHERS OF HOTELS, CLUBS AND RESTAURANTS, AS WELL AS PRIVATE HOMES. ORCHARD & WILHELM 414-16-18 South Sixteenth Street. FLANDERS FURNITURE



This artistic style of furniture just brought out is called "Flanders." It originated in a province of that name composed of a part of Belgium, Holland and northern France. It was made at the close of the 16th and first half of the 17th century. We are showing a large line of Flanders Furniture which is most suitable for dining room, living room, library and hall. Special display on main floor. This furniture is made of select oak with old oak appearance; is a beautiful dull brown finish, the upholstery is of a dark, dull blue leather. The above illustrations show a few of the Flanders pieces. We invite inspection of this new line of goods. See window display.

Some Interesting Furniture Values for This Week's Selling Wing Chair (like illustration) Covered in art cretonne; especially adapted to bed room use. Full size, high back, mahogany feet; Regular value, \$25. Special, ea. \$18.75

Colonial Post Bed Either in full or twin size, heavy post design, in the dull satin finish. These beds sell regularly at from \$50.00 to \$55.00. Special each, \$35.00

French Muslin Bed Spreads with valance all around, extra full bolster cover, complete in all colors, \$3.95

Bolster Rolls, heavy paste-board, each, \$1.25 Bolster Rolls, open back for pillows, \$2.00 Have you visited our stove and kitchenware department in the basement. \$3.50

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Heinrich Conreid is Reported Dead Rumor in Paris Says New York Grand Opera Director Died at Meran. ARLINGTON—Miss Bertha Envyart of Hayes Center has been elected an assistant principal of the high school to fill the vacancy caused by the resignation of Miss Aida Gray to the principalship. Miss Blanche Wise, who was elected principal of Freedom, resigned her position and handed in her resignation.

Paris Drivers. PARIS, April 24.—The old charge against Paris that it is "a hell for horses" has received confirmation by an order just issued by Prefect of Police Lepine. He states that many coachmen and teamsters use whips with a very heavy leather thong and others even introduce into the lash

Survey of Capitol Grounds. PIERRE, S. D., April 24.—(Special Telegram.)—Prof. N. E. Hanson of Brookings college and State Surveyor Nelson of Mitchell today made a preliminary survey of the state capitol grounds for the purpose of making a plan for parking the

YANKTON, S. D., April 24.—(Special.)—The government snagboat Mandan, four days out from Sioux City, arrived here Friday morning and passed on up the river for Fort Benton and Yellowstone points for the season's work.

