

The 'Man's Store.' Official Weather Report—Showers.



A 'little flyer' in Summer Suits at \$15.

Serges and all the most wanted weaves in fine fancy worsteds. Big values—qualities that sell elsewhere at \$18 and \$20—our great 1908 leader at \$15.

'Money's Worth or Money Back'

D. J. KAUFMAN, 1005-7 Pa. Ave.

'TRI-WEAR' Men's \$3.50 Shoes

This week only—during our '32d BIRTHDAY SALE'—at the Special 'Birthday Discount' of

32 Cents a Pair.

'Birthday Price,' \$3.18

All styles—high or low cuts—made of best tan, black, and patent leather.

The Shoes that give 'THRICE AVERAGE \$3.50 SHOE WEAR.'

Wm. Hahn & Co.'s Three Reliable Shoe Houses

\$1.00 TO BALTIMORE OR ANNAPOLIS

AND RETURN. TWILIGHT EXCURSIONS

5:30 P. M. UNTIL MIDNIGHT. VIA THE ELECTRIC LINE

EVERY EVENING (SATURDAY AND SUNDAY EXCEPTED), COMMENCING JUNE 1ST.

A splendid opportunity to enjoy a cool, comfortable ride in a cool, comfortable open car, and breathe the pure country air, without the contamination of smoke, clatters, or dust.

An ideal recreation for a hot summer night. Visit the Monumental City, its numerous parks and other points of interest; take dinner at one of Baltimore's famous rivers or bay resorts and return home before midnight.

Tickets sold for cars leaving White House Station, 15th and H Sts. Northeast, at 5:30 and every half hour thereafter (till 7:30 and at 8:30 p. m.); good returning on date of issue only.

COKE An Excellent Fuel for Cooking.

Not merely economy recommends the use of Coke for cooking. It is the best fuel, as well as the least expensive. We'll supply you.

25 Bushels Large Coke, delivered.....\$2.50
25 Bushels Large Coke, delivered.....\$2.50
25 Bushels Large Coke, delivered.....\$2.50
25 Bushels Crushed Coke, delivered.....\$2.50
25 Bushels Crushed Coke, delivered.....\$2.50

Washington Gaslight Co., 413 Tenth Street N. W.

Comfort, Firm Hold, Neat Appearance

You will find in Dr. Vineberg's Eyeglasses. Made and sold by

Vineberg's Optical Co., 709 K St. N. W., Mt. Vernon Place.

\$50.00 IN PRIZES

Don't fail to enter our Grand Presidential Contest.

See our ad. in State. Read instructions on Golden Rod Sheet Back Cover.

GOLDEN & CO., 928 La. Avenue.

DR. SHADE, SPECIALIST 728 13th St.

37 years, successful practice treating nervous and chronic diseases, stomach, lungs, liver, heart, kidney, bladder, strictures, discharges, general weakness and disability, blood, skin, special, and private ailments cured quickly. Consultation free. Chiropractic Building, Eleventh and 'Phone.

WILL GREET EDITORS

Commerce Chamber Appropriates \$150.

WANT G. A. R. ENCAMPMENT

Secretary Directed to Communicate with Army Posts and Local Representatives and Aid in Movement to Bring Annual Meeting of Old Soldiers to Capital—Other Business.

Routine business of the month and a few matters relating to future activities of the body were transacted at the meeting of the board of directors of the Commerce Chamber yesterday. The directors appropriated \$150 to be used by the committee on conventions for the entertainment of the delegates to the Virginia Press Association. Action was also taken with a view to aiding the movement to make Washington the permanent place for the annual encampment of the Grand Army of the Republic after this year.

From the committee on conventions, Chairman H. C. C. Stiles sent a letter to the directors stating that his committee had considered the advisability of organizing a celebration of Washington's Birthday in Washington next year. He said the committee decided that because next year would be the time for the induction of a new President into office on March 4, that it was not advisable to hold such a celebration as had been proposed next year, but that in the year 1910 the committee thought the celebration ought to be held and thereafter, annually or biennially as might be determined.

Resignation May Be Withdrawn.

A communication was read from Cuno H. Rudolph, to the effect that he was unable, on account of pressing other matters, to attend the meetings of the executive committee at noon every Monday, and for that reason he desired to resign from that committee. On motion, it was decided to refer Mr. Rudolph's resignation to the executive committee, with the hope expressed that an understanding might be arrived at with reference to the meetings of the committee so that Mr. Rudolph would withdraw his resignation.

A. Lisner, the treasurer, reported \$57.01 in the treasury.

Walter A. Johnson, Thomas Grant, T. L. Townsend, Louis Hirsch, M. W. Moore, representing the Law Reporter Publishing Company, Thomas E. Ogram, J. C. Wiseman, and R. E. L. Yellott were elected to membership in the chamber.

Arthur Moses reported from the committee on manufacturers that the work of the committee was progressing in a satisfactory manner, and he stated that D. J. Callahan and John Fleming had been added to the membership of the committee.

Secretary Straus Will Speak.

President Harper announced that at the next meeting, to be held next Tuesday evening, Secretary Straus, of the Department of Commerce and Labor, would address the members of the chamber, and that special arrangements would be made for that evening, and a large number of representative business men of the city invited to attend.

Ralph Lee, chairman of the special committee appointed to arrange a baseball game with members of the Board of Trade, announced that the game would be played on the afternoon of June 27, and that a meeting of the committee would be held next Wednesday night to make the final arrangements as to the details of the game, including the seating, and other details of the game.

Mr. Lee said tickets for the grandstand would be sold for 50 cents, and that the boxes would cost \$19 each. He said the sale of the boxes had been undertaken by Cuno H. Rudolph, and applications for them should be addressed to him.

Charles J. Bell, for the committee appointed to plan for the opening of the Municipal Building, reported that the ceremony would take place on the morning of July 4, with short addresses in front of the building, followed by a reception to the Commissioners on the inside of the building.

In the evening there will be an illumination of the White Lot, avenue, and fire works on the White Lot.

BRIEF IN BRENNAN CASE.

Document Was Forwarded to the Commissioners Yesterday.

A brief on the hearing of charges of favoritism in the engineer department, filed by the Brennan Construction Company and the Beall Construction Company, has been forwarded to the Commissioners. Attention is directed to the following points:

"The Brennan Construction Company was the lowest bidder on the proposal dated March 30, 1907, and should have been awarded the contract. The Commissioners of the District of Columbia are required by law to award contracts for public work to the lowest responsible bidder, and although the right to reject all proposals is reserved, the discretion thereby lodged in the Commissioners cannot be exercised arbitrarily.

"Under the proposals upon which bids were invited, the Commissioners had no right to divide the contract, and such a division was contrary to law. The Commissioners exceeded their authority in ordering additional work to be done under said contract, when no money was available for said work."

SUES FOR CHILD'S BENEFIT.

Arthur Grimes Said to Have Been Injured by a Car.

Arthur Grimes, five years old, through his father and next friend, Henry Grimes, has entered suit against the Washington Railway and Electric Company and the Anacostia and Potomac River Railroad Company to recover \$5,000 for alleged personal injuries.

It is claimed Grimes was playing around a car of the company at Florida avenue and V streets, on July 3, of last year, when the car started before the child could get away. The boy sustained permanent injuries by being thrown violently to the ground.

Annapolis Class at Dinner.

The annual dinner of the Class of '91 of the United States Naval Academy was given at the Shorham Hotel last night, the attendance being necessarily limited on account of a large number of the class being absent on duty with the fleet. Those who enjoyed the good things were P. Stuyvesant Elliot, Charles F. Condit, William W. Beck, S. McLemore, Henry H. Hough, George Richards, and E. S. Theall.

Watch for a city—Randle Highlands.

NEWEST WEAVES IN MEN'S SUMMER SUITINGS

Direct from the leading European looms—decidedly different from the ordinary in pattern and quality. Inspection invited.

E. H. Snyder & Co., Tailors, 211 PENNSYLVANIA AVENUE N.W.

Prairie Grass Furniture

Is especially attractive for use at this time of the year. It lends an air of coolness and comfort.

Send for our booklet of description and styles. A postal card request will bring it to you.

When in Doubt, Buy of House & Herrmann, 7th and Eye Sts. N. W.

MILK DEALERS SAFE

Mullowny Says District Cannot Prosecute.

GIVES A SWEEPING DECISION

Police Court Judge Holds that Pure Food Law Renders Migratory the Act of 1898 Under Which Health Department Prosecutes Adulterated Cases—Appeal Will Be Made.

That the health department of the District has no legal right to examine or analyze milk for the purpose of prosecution, was the decision rendered in the Police Court yesterday by Judge Mullowny.

The decision came as a surprise to the officials of the health department, who were assembled to appear against William F. Burns, charged with selling adulterated milk. The same charge had been tried in the Police Court of the District for several years, and in each case the defendant was sentenced to pay a fine or forfeit collateral.

Yesterday the defendants had forfeited collateral and led the court when Attorney Charles W. Darr, appearing in defense of W. F. Burns, advanced an argument that was well taken by the judge and incidentally forced him to give a decision that makes the local milk situation peculiarly complex until the case is settled by a higher court.

Acting under the provisions of an act of Congress of February 17, 1898, which gives the health department the right to prosecute dealers for selling impure food-stuffs, R. L. Lynch, chief of the health department, appeared against Burns and charged him with selling impure milk.

Not According to 1906 Law.

When he had finished his charge, Attorney Darr asked if he had acted in accordance with the pure food act of June 30, 1906, and submitted the milk purchased from Burns to the Agricultural Department for analysis. Mr. Lynch replied in the negative.

Mr. Darr then addressed the judge, and read Section 4 of the "pure food and drug" law, which says the Department of Agriculture alone has the right to examine foods or drugs for the purpose of determining whether they are adulterated.

He contended that the pure food act repealed the act of 1898, under which the health office has been convicting milk dealers for several years.

In upholding the point advanced by the attorney, Judge Mullowny dismissed the case and held in the District branch of the Supreme Court, and must be brought by the district health officials as incompetent to analyze food products.

Old Act Invalid, Says Judge.

"I contend that these two acts are so antagonistic they cannot stand, and it is my conviction that Congress intended the latter act to repeal the act of 1898," said the judge. "I now instruct the prosecuting attorney to prepare a bill of exceptions for presentation to the Court of Appeals to decide this matter finally."

When sent last night Judge Mullowny said he regretted the point was made at the present time, since the Court of Appeals will not be able to consider the case until the fall, thus leaving the way clear for recalcitrant dealers to avoid prosecution.

He said the health department and the Agricultural Department were both striving for the same end, but the latter was seriously handicapped because of the appropriation made by Congress to carry on the work of inspecting milk during the summer.

Charles W. Darr last night said his client had been in the grocery business more than twelve years, and during that time had had the milk sold by him examined more than 100 times, and in each case found it to be pure. Mr. Darr contended the pure food law meant that the District health officials are incompetent to analyze food products.

BENSON CROSS-EXAMINED.

Closely Questioned in Trial of the Land Fraud Case.

John A. Benson again occupied the stand in the land fraud trial yesterday, and had to submit to a severe cross-examination. After giving an account of the co-operation of himself and Mr. Hyde in the Aztec Land Company deal, he related numerous instances where he was misled against Hyde. Benson said he and Hyde were in competition most of the time during their business acquaintance.

Having advised Benson on Tuesday not to answer certain questions put to him by District Attorney Baker as they might incriminate him, Attorney Campbell, on the opening of court yesterday morning, said he thought any evidence Benson might give could not be used against him or as tending to incriminate him in another proceeding.

Mr. Campbell withdrew his advice to his client concerning the refusal to answer, whereupon the latter had to submit to a searching cross-examination at the hands of the prosecution.

Rubber Gloves for Houseworkers, \$1 Pair. Lindsay's Rubber Store, 933 F St. N. W.

Thinks Girl Is Insane.

Miss Kate Jackley, a former resident of Potomac, Wis., who wrote to President Roosevelt for assistance, saying that a "meddlesome incurable" was working against her, was examined by Dr. Brandenburg, one of the police surgeons, yesterday. He says she is insane. She was committed temporarily to the Government Hospital for the Insane, but will not be sent there until another surgeon certifies to her alleged insanity.

WOMAN TAKES POISON

Mrs. Moran Commits Suicide While Despondent.

DID NOT LIVE WITH HUSBAND

Mental Troubles Supposed to Have Prompted Her Desire to Leave World—Tumbles Down Stairs, and Her Body Is Badly Bruised—Found by Her Uncle, Robert H. Lusby.

Lying full length at the bottom of the stairway in the hall of 491 I street southwest, Mrs. Myrtle Moran, eighteen years old, wife of John Moran, a printer, was found dead by her uncle, Robert H. Lusby, yesterday afternoon about 2 o'clock. Dr. T. J. Sullivan, of 512 Sixth street southwest, who was called, said she had been extinct for more than an hour.

About 2 o'clock the girl is said to have purchased carbolic acid from a drug store in Four-and-a-half street southwest. Her death resulted from a dose of the poison, which she is supposed to have taken because of marital troubles. Relatives say she had been despondent because her husband would not live with her, but she had recently been in good spirits.

Dined with Her Father.

She ate luncheon with her father, John T. Wells, at noon. This was the last time she was seen alive.

A number of bruises were found on her body, caused by falling down the steps after swallowing the poison. A bottle was found in her uncle's room on the second floor, which leads to the belief she took the medicine in the room.

It is supposed the acid caused such agony she changed her mind about wanting to die, and started for the street to call for help, but was overtaken by the effects of the acid and fell headlong down the stairs.

Coroner Nevitt viewed the body and gave a certificate of death by suicide. The body was turned over to Undertaker Lee. Arrangements for the funeral have not been made.

HIBBARD MAKES HIS PLEA.

Says He Is Not Guilty of Assaulting His Wife.

George Hibbard, former employe at the navy yard, charged with assault with a dangerous weapon, was held in \$5,000 bond for action of the grand jury, yesterday, by Judge Kimball, of the Police Court. Hibbard is charged with attacking his wife with a knife the night of May 12 last, in their apartment at 4 B street.

Mrs. Hibbard told a long story of the alleged attack. The prisoner asserts his wife gave him provocation, and entered a plea of not guilty.

HELP THE PLAYGROUNDS.

Six Thousand Nine Hundred Persons Wanted to Subscribe \$1 Each.

Members of the playgrounds committee of the Associated Charities have formulated a plan for raising about \$7,000 to make up the sum needed to carry on the work of the committee during the summer months. It is proposed to give every resident of Washington an opportunity to contribute a small sum to this worthy charity.

The plan, as outlined by the committee, is that 6,900 persons in the District should contribute \$1 each to this fund. It is proposed that all who will do this shall be entitled to associate members of the playgrounds committee. The contributions may be sent to the business office of The Washington Herald, and the names of all the contributors will be published from day to day as the subscriptions come in. If preferred, the subscriptions may be sent to A. E. Stevens, treasurer of the committee.

It is stated that the committee feels much in need of the money to be realized from this popular subscription, and the hope is expressed that friends of the playgrounds movement will immediately send in their \$1 contributions, either to the officers of the committee or The Washington Herald, and thereby start the subscription, which it is hoped will in a few days will be large.

If the response which is expected from this appeal brings in \$6,900, the committee can go forward with its work without impediment, and carry out extensive plans for the well-being of the children of the city during the hot weather. It is hoped that the subscriptions will come in at once, and rapidly.

MATTINGS LAID FREE.

A Good Refrigerator

Can be bought here at a moderate price, and the bill can be settled in small weekly or monthly amounts.

Our Line of Go-carts

Has few equals. Every good style is represented, and the prices are remarkably low.

PETER GROGAN

817-819-821-823 Seventh St. BET. H AND I STS.

Court's Decision Does Not Settle Blending Dispute.

TEST CASE IS STILL PENDING

Points at Issue Passed Upon by Justice Robb, but Final Determination Will Be Reached, Rectifiers Say, Through Clark Case, Now on Docket—Drawn-out Controversy.

The decision of the Court of Appeals of the District of Columbia in the Levy-Urli trade-mark case is not a final determination of the blended whisky controversy under the pure-food law, and decides only that a whisky composed of rye whisky, bourbon whisky, and neutral spirits is not entitled to be called "pure rye whisky," so as to justify the registration of a trade-mark to be placed upon such whisky bearing that name—pure rye whisky.

That portion of the decision of Justice Robb, of the District Court of Appeals, in the trade-mark case, bearing upon the blended whisky case now pending, is as follows:

It is well known that a pure rye whisky is exactly what the term imports—a whisky made solely from malted rye. Such a whisky has all the congenic properties of the grain from which it derives its name, and in the mind of the consumer is associated with that particular grain and no other. When we speak of Scotch whisky we do not mean whisky made from corn, but from malted barley. So, too, it is well understood that bourbon whisky is a Kentucky product, made principally out of corn, with sufficient rye and barley added to distinguish it from straight corn whisky. Each kind of whisky mentioned has its own peculiar flavor and character, and is sought after as a beverage because of that flavor and character.

Neutral spirits, on the contrary, as the term suggests, is a colorless liquid, has neither flavor nor character, and is not a beverage at all. It may be produced from any of the grains from which corn, potatoes, and sugar beets. Formerly it was used exclusively in the arts, but with the advent of cheaper methods of production it has been palmed off on the public as a beverage by mixing it with something to give it flavor and character.

Since it costs far less to produce than rye whisky, it is apparent that its use by the distiller increases his profits proportionately to the amount of it used. We think it clear, says the court, that to advertise and sell a mixture containing rye and bourbon whiskies and neutral spirits, without so stating, is a deceptive and unfair practice, and a violation of the law. It is, in fact, a violation of the law, and the law is not to be evaded by the use of such a mixture.

The court then holds that the Patent Office should not recognize a trade-mark when a court of equity would decline to protect the mark when registered.

The Test Case Proper.

In the blended whisky test case, yet to be decided, and upon which expert testimony will be taken and exhaustive argument made, the James Clark Distilling Company figures as defendant only because it happened to be doing business in Washington and was in easy reach of the government service. It is not charged that its business is different from that of any other company handling blended whiskies, or that it is a particular offender. It is simply used as the medium for testing the new law in the courts.

Meaning of Term "Blend."

The question which has agitated the Department of Agriculture, and the Department of Justice, resulting in four opinions by the Attorney General on "What is whisky?" arose under that section of the foods and drugs act of June 30, 1906, which provides that the "term blend shall be construed to mean a mixture of like substances."

About 85 per cent of the whisky used in the United States is blended whisky, composed partially of unrectified whisky containing all the fusel oil created during the fermentation of the alcohol, and partially of rectified whisky, the latter having been rectified to remove the fusel oil, which is known as neutral spirits, but when reduced to 100 proof, i. e., half alcohol and half water, has from time immemorial been known as whisky.

The contention of the Department of Agriculture, as voiced by Dr. Wiley, head of the Bureau of Chemistry, has been that rectified and unrectified whiskies were not like substances, and that a mixture of the two, as is the practice in England for years, was not entitled to be called whisky.

Resisted by Rectifiers.

The great majority of rectifiers in the country have resisted Dr. Wiley's definitions, and opposed compliance with his arbitrary definitions of whisky, because they believe implicitly that they have every right to call their product whisky.

As a matter of fact, the rectifiers contend, the article which Dr. Wiley asserts is the only one entitled to be called whisky, and which the Attorney General, acting on Dr. Wiley's definitions, has in his opinion, said should be called whisky exclusively, until recent years, known as high wines, and considered unfit to drink. Modern methods of aging in charred barrels, to disguise the fusel oil taste, has made the product potable, though too highly flavored for any but the drinkers who specially like such flavor.

For the purpose of this test, seizure was made of certain barrels of blended whisky in this city, and when the litigation is finally settled in this case, the question of "What is whisky?" will have been settled in this country.

In the meantime, the Court of Appeals, according to the rectifiers, has not passed upon the single question upon which the controversy hinges, "Is 95.75 per cent ethyl alcohol plus .25 per cent fusel oil a like substance to 95.75 per cent, ethyl alcohol?" It should be understood in considering the question that there is a trace of fusel oil in the "95.75 per cent ethyl alcohol" last mentioned.

The same controversy in a way has been pressed in England, only there the question is whether a Scotch or Irish malt whisky, high in fusel oil, blended with "patent spirits," as the foreign purveyor is called, is entitled to be called "Scotch Whisky" and "Irish Whisky," respectively. It is admitted in England that the blended product is whisky, the only quarrel there being over the descriptive words "Scotch" and "Irish." A parliamentary commission is now sitting in England to settle the point.

LOCAL MENTION.

EXCURSIONS TO-DAY.

To Fort Monroe, Norfolk, Newport News, and all points South—Norfolk and Washington steamers every evening in the year at 6:30.

To Rock Creek Bridge, Zoological Park, Chevy Chase, and Kensington—Cars from Fifteenth street and New York avenue every fifteen minutes.

To Mount Vernon, Arlington, National Cemetery, Falls Church, and Fairfax—Cars from Twelfth street and Pennsylvania avenue and Annapolis every hour and a half from 6 a. m. to 6 p. m.

Hotel Johnson Cafes. Seafood! Seafood! Direct from the catchers, on all lunches, table d'hote dinners, and special orders.

'IT PAYS TO DEAL AT GOLDENBERG'S'

SEVENTH AND K STREETS

Tailored Suits, \$8.98

Sold Up to \$25.

It is clearance at any cost now—for we must make a clean sweep of every cloth garment in our stock.

Choice of Women's Stylish Tailored Suits, in a great variety of fabrics and styles, including fancy light striped materials, invisible hairline checks, shepherd's checks, check panamas, shadow stripe weaves, plain panamas and serges; in tight-fitting models; dip front styles; butterfly coats; three-button cutaway coats, semi-fitting styles, Prince Chap, and other fashionable styles.

In gray, stylish cream grounds with hairline checks, Alice blue, green and blue, cream and brown, white and black, tan, russet, copper-panama, navy, brown and black. Values worth up to \$25.00 and \$25.00+ at \$8.98.

Arnold's Lingerie Lawns at Unusually Low Prices.

Arnold's White Lingerie Lawns—superior quality white fabrics of extra sheer, fine texture, with beautiful, rich, lustrous finish. These Lingerie Lawns will launder beautifully and always retain their brilliant finish. The ideal material for handsome summer waists and dresses.

15c Quality, 9 1/2c Yard. 18c Quality, 11c Yard. 25c Quality, 14c Yard. 35c Quality, 19c Yard.

RUCHINGS, 10c Regularly 25c Yard.

Special offering for to-day—2,500 pieces of Fine Quality Silk Chiffon Ruching—representing a maker's entire balance of stock, at the astonishingly low price of 10c a yard.

Plains and ruffles, crested effects, double and triple fold kinds, which are the vogue for neckwear. In white, black, and a complete assortment of colors. Regular price, 25c a yard. Sale price, 10c a yard. (Neckwear Dept.—First floor.)

PLACES OF INTEREST.

Library of Congress—Open 2 a. m. to 10 p. m. on regular days; from 2 p. m. to 10 p. m. on Sundays and certain holidays.

Public Library—Open 2 a. m. to 10 p. m.; holidays, 10 a. m. to 10 p. m.; Sundays, 2 to 10 p. m.

Executive Mansion—Open 10 a. m. to 2 p. m.

United States Capitol—Open 9 a. m. to 4:30 p. m.

United States Treasury—Open 9 a. m. to 3 p. m.

State, War, and Navy Departments—Open 9 a. m. to 5 p. m.

United States Patent Office—Open 9 a. m. to 4 p. m.

United States Pension Bureau—Open 9 a. m. to 2 p. m.

United States Post-Office—Open 9 a. m. to 2 p. m.

Washington City Post-Office—Open all hours. (The Dead Letter Office is in the city post-office.)

National Botanic Gardens—Open 9 a. m. to 5 p. m.

Smithsonian Institution—Open 9 a. m. to 4:30 p. m. (including holidays).

Rock Creek Bridge and Park, Chevy Chase, Kensington, and Chesapeake Beach, Nat. Observatory—Open 9 a. m. to 4:30 p. m.

Mount Vernon (the home and tomb of Washington)—Open 11 a. m. to 4 p. m.

Arlington National Cemetery—Open all day.

Fest Mer (the home and tomb of Washington)—Open 11 a. m. to 4 p. m.