

Geo. E. Stifel & Co.

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THIS MORNING AT

Geo. E. Stifel & Co.

BEGINNING AT 8 O'CLOCK

ORGANDIE LAWNS ONE-HALF PRICE.

The greatest opportunity to get this season's choicest Organdies, valued at 25c to 60c yard, at half price.

Geo. E. Stifel & Co.

Alexander Frew.

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We Will Sell All

12 1/2 Per Cent DISCOUNT.

FURNITURE

A GREAT OFFERING.

At 12 1/2 Per Cent Discount UNTIL FURTHER NOTICE.

This includes all new goods, such as new line of Sideboards, Bed Room Suits, etc.

WE MEAN WHAT WE SAY.

ALEXANDER FREW, 1208 Main Street.

D. Sundling & Co.

D. Sundling & Co.

IF IT IS TRUE THAT A

Man's Figure is What His Tailor Makes It, There Are Some Very Bad Figures and Very Bad Tailors in This Community.

Having clothes made to measure is not always having them made to fit. Therein lies the advantage of Stein-Bloch Clothes.

They Are Ready to Put On

The Moment You Want Them.

You see just how they look finished, and every garment is fitted in a twinkling almost and you emerge from our store fashionably and properly clad with a saving fully one-half your tailor's price.

D. GUNDLING & CO.,

STAR CLOTHIERS.

34 and 36 Twelfth St.

OF GREAT INTEREST

Is the Decision of Judge Paull in the Vaccination Case.

HE CONCLUDES THE BOARD

Of Education has not the Power to Compel Vaccination When There is not Imminent Danger of an Epidemic of Small-pox—The Decision is Supported by a Number of Legal Decisions Which are Cited by the Court.

A decision of great interest throughout this state—and even beyond West Virginia—was handed down yesterday by Judge Paull, of the Ohio county circuit court, in the case of Albert Baumann and others vs. the Board of Education of the school district of Wheeling, and Mary Reppeto. Mr. Baumann's child was ordered to be vaccinated by Miss Reppeto, principal of Webster school in this city, before it would be enrolled, the principal acting on rules of the board of education. The child's parents determined to test the matter, and suit was entered as stated above. Judge Paull's decision is in effect that children cannot be required to be vaccinated when there is not imminent danger of an epidemic of small-pox. His decision in full is as follows: Albert Baumann and others vs. the Board of Education of the School District of Wheeling, and Mary D. Reppeto.

This is a petition for a writ of mandamus to compel the defendants to permit the petitioners to attend the Sixth ward, or Webster, school of the city of Wheeling, from which they have been excluded because of their refusal to be vaccinated as required by rule 109 of said board.

In State vs. Burdge, 95 Wis. 390, 60 Am. St. Rep. 123, it was held: "Conceding that a state board of health has power to make a rule excluding from the public schools children who do not present certificates of vaccination, such a rule is not a valid exercise of the police power of that board, but void on account of its unreasonableness and extraordinary character where, at the time of its adoption, there is no apparent or imminent necessity for its existence; and no such necessity for the enforcement of a rule of that kind in a particular locality, is shown by the existence of a few cases of smallpox scattered throughout the state, and of but one in the locality, which has been properly quarantined, if there is no epidemic of smallpox existing in the state."

In Potts vs. Breen, 167 Ill. 67, 53 Am. St. Rep. 83, it was held: "The directors of a public school have no right, either under their own rules, or by order of a state board of health, to exclude children who refuse to be vaccinated, unless it is necessary, to prevent the contagion of small-pox. A remote fear of the disease does not justify such exclusion."

Judge Carter, in delivering the opinion of the court in this case, 75, 268, says: "While school directors and boards of education are invested with power to establish, provide for, govern and regulate public schools, they are in these respects nowise subject to the direction or control of the state board of health, and, before being put out, they have no authority to exclude children from the public schools on the ground that they refuse to be vaccinated; unless, indeed, in cases of emergency, if the exercise of the police power, it is necessary, or reasonably appears to be necessary, to prevent the contagion of smallpox. Undoubtedly, also, children infected or exposed to smallpox may be temporarily excluded or the school be temporarily suspended; but, like the exercise of similar power in other cases such power is justified by the emergency, and, like the necessity which gives rise to it, ceases when the necessity ceases. No one would contend that a child could be permanently excluded from a public school because it had been exposed to smallpox, or that the school could be permanently closed because of the remote fear that the disease of smallpox might appear in the neighborhood, and that if the school should then be open and children in attendance upon it the public would be exposed to the contagion. And upon the same line of reasoning, without a law making vaccination compulsory, or prescribing it, upon grounds deemed sufficient by the legislature as necessary to the public health, as a condition of admission to or attendance upon the public schools, neither the state board nor any local board has any power to make or enforce a rule or order having the force of a general law in the respects mentioned."

Now, the board bases its right to make and enforce rule No. 109, aforesaid solely upon section 17, of the act of the legislature establishing the said board, which reads: "The board of education shall have power to make all necessary rules and regulations . . . for the government of the schools of the district; for the admission of pupils therein; for the exclusion of children whose attendance would be dangerous to the health or detrimental to the morals or discipline of the schools."

It is clear that this provision confers no express authority upon the board to make vaccination a condition upon which children may be permitted to attend the public schools; nor does it confer any such authority by implication, except in cases where the attendance therein of unvaccinated children "would be dangerous to the health . . . of the schools."

But the board concedes that there is not now and has not been for several months past any smallpox in the city of Wheeling, in this vicinity or even in this state; and there is no claim that petitioners have ever been exposed to this disease.

Under these circumstances the attendance of the petitioners at one of the public schools of this city, cannot be regarded as dangerous to the health of that school, solely because they have not been vaccinated. Hence, their exclusion from such school simply because of their refusal to be vaccinated, must, under the authorities above cited, be held to be illegal.

The writ may therefore issue as prayed for.

More Prizes for Linsly.

The following prizes in addition to those mentioned in the list already published will be distributed to participants in the Linsly field day sports this afternoon: Hat, donated by Harper & Bro.; auto-harp, donated by C. A. House; one dozen glasses soda water, Charles R. Goetze; umbrella, George E. Stifel & Co.; necktie, George M. Snook & Co.; belt, C. Hess & Sons.

The Field Day sports begin at 2 o'clock. The Cadets will march to the state fair grounds in a body.

An Elm Grove Incident. There was a lively time for a brief period at Elm Grove Sunday night, on the platform of the Wheeling & Elm Grove railway. A dispute arose between some passengers and in trying to preserve order, Conductor Ollie Smith was slightly cut on the hand by the aggressor in the dispute, who had a drawn knife. The case will come up before Squire Fitzpatrick to-day.

THE largest and best loaf is baked by Wheeling Bakery; ask your grocer for it.

BETHANY'S COMMENCEMENT

Occurs on Thursday of Next Week. The Week's Programme.

The Bethany commencement will take place June 11-15. The baccalaureate sermon will be preached next Sunday morning, by W. J. Shannon, of Allegheny, Pa., one of the most distinguished ministers in the Christian church.

The able and energetic secretary of the American Christian Missionary Society, B. L. Smith, of Cincinnati, will deliver the annual address to the Y. M. C. A. on Sunday evening.

The board of trustees will hold its usual meeting on Tuesday and Wednesday.

Tuesday evening the joint entertainment of the American and Metrophan literary societies will be given.

The class day exercises of the graduating class on Wednesday afternoon will be one of the attractive features of the week and the annual concert of the music department on Wednesday evening promises to be a rare treat to lovers of music.

Thursday is commencement day, when the graduates deliver their speeches and receive their diplomas.

The lovers of sport will be interested in the two games of ball between Bethany and Mt. Union college on Tuesday and Wednesday afternoon. An effort will also be made to have a tennis contest between Bethany and some of Wheeling's best players.

ASK your grocer for the hot rolls made by Wheeling Bakery; no one else can make such rolls as dainty and delicious.

Lots in Steenrod fronting pike or car tracks, 50x125 feet, will be sold at auction Saturday, June 10, at 9:30 a. m., on the grounds, \$100 down, balance on long time at five (5) per cent interest. THIAS-3

A. O. U. W. OUTING, Wednesday, June 14, at Wheeling Park.

MAKE sure that you get Wheeling Bakery Bread; none other as cheap or good.

DIED.

RHINE—At the North Wheeling Hospital, on Sunday morning, June 4, 1899, HENRY RHINE, of Elm Grove, in the 37th year of his age.

Funeral from his late residence, at Elm Grove, Tuesday morning at 10 o'clock. Friends of the family invited to attend. Interment at Mount Calvary cemetery.

WINESBURG—At her late residence, No. 1105 Elliot street, on Sunday, June 4, 1899, at 2:45 o'clock p. m., MRS. MARTHA J. WINESBURG, in her 75th year.

Funeral services this (Tuesday) afternoon at 3 o'clock. Friends of the family respectfully invited to attend. Interment at Peninsula cemetery.

Undertaking.

Louis Bertschy, FUNERAL DIRECTOR and ARTERIAL EMBALMER. 1117 Main St.—West Side. Calls by Telephone Answered Day or Night. Store, 625 Residence, 626. Assistant's Telephone, 655.

Alexander Frew, FUNERAL DIRECTOR AND EMBALMER. 1208 MAIN ST. Under Competent Management. Telephone—Store, 223; Residence, 750.

ROBERT F. HILL, FUNERAL DIRECTOR AND EMBALMER. Parlors and Chapel Open Day and Night. 41 Fifteenth Street. Telephone.....800

BRUEMNER & HILDEBRAND Funeral Directors and Embalmers. Cor. Market and 22d Sts. Telephone 297. Open Day and Night.

The National Life Insurance Company.

Do You Want An Insurance

free from the ambiguities and chance of contestability or forfeiture; a piece of property which will not only protect the future of yourself and family, but will be a merchantable asset without fluctuation in value or danger of loss through your misfortune or negligence?

The National Life Insurance Company, of MONTPELIER, VERMONT,

with its experience of nearly fifty years of unbroken prosperity and reputation for fair and equitable dealing, furnishes such an insurance in its

ENDOWMENT BOND

A CONTRACT OF SPECIFIC GUARANTEES,

which pledges payment if the insured keeps it in force by payment of the specified premiums, of the face value at maturity or period of death, and guarantees, if premium payments are discontinued, three methods of settlement which are entered in a Bond issued at

AGE OF 25 FOR \$1,000, PREMIUMS \$46.75.

Table with columns: At End of Year, WITHOUT ACTION OF INSURED (Term Insurance for \$1,000, Cash Payable at end of term), OR ON APPLICATION WITHIN THREE MONTHS (A Cash and Loan, On a Paid-up Participating Bond). Rows show terms from 3 to 20 years.

BEAR IN MIND ALSO that the Company guarantees to grant you LOANS in cash at any time up to the amount of the available cash value and PARTICIPATION IN SURPLUS at the time selected by you.

THE NATIONAL, with net assets of more than \$15,000,000.00, is purely a policyholders' company managed in their interest, and every privilege and advantage is granted that is consistent with conservative business management.

CHARLES DEWEY, President. J. S. MILLIGAN, General Agent, City Bank Building, Wheeling, W. Va.

Mutual Savings Bank.

Advertisement for Mutual Savings Bank with text: 'THEY LOVED THE GROUND BECAUSE IT WAS THEIR OWN—Hallock.' and 'MUTUAL SAVINGS BANK, 1521 Market St.' Includes an illustration of a house.

The National Exchange Bank of Wheeling.

J. N. VANCE, President. JOHN FREW, Vice President. L. E. SANDS, Cashier. W. E. IRVINE, Ass't. Cashier.

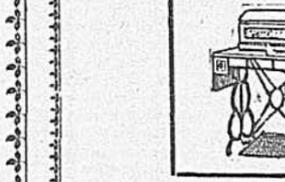
The National Exchange Bank

Of Wheeling. CAPITAL \$200,000. SURPLUS \$20,000. DIRECTORS: John Waterhouse, William Ellingham, J. M. Brown, Dr. John L. Diekey, W. E. Stone, W. H. Frank.

Business entrusted to our care will receive prompt and careful attention.

How Is It That We Can Sell SEWING MACHINES \$10 to \$30 Cheaper Than Any Other..... Store?

It is not possible for a manufacturer to make as good a Sewing Machine as the "Standard" to retail at the price we sell it— \$30, \$35, \$40, \$45, \$50.



WHY?

Because the "Standard" is the only "Rotary" Machine on earth—they alone own the patents which make it the best machine on earth.

WHY?

Because the "Standard" makes more machines than any other factory, because their machines being so much better are in greater demand. It means a saving to every purchaser of time, worry and money.

....WE'LL TELL YOU....

The managing agent of a Sewing Machine Company figures as follows:

Table showing costs: First cost of machine \$30.00, My profit 10.00, My sub-agents' commissions and expenses in scouring the country, door to door, making a sale 10.00, Agent's price \$50.00.

OUR WAY OF FIGURING.

Table showing manufacturer's price \$30, sold to us in 500 lots at \$25.00, Our profit 5.00, Agent's commission 0.00, Total \$30.00.

There you are—it's proportionately the same way with our other makes—of course we have reliable machines at \$12.98, \$15.98. "Demorests" \$19.50, \$23.50, \$27.50. "Standards" at \$30.00, \$35.00, \$40.00, \$45.00, \$50.00. We guarantee the machines, the machines guarantee satisfaction.

HOUSE & HERRMANN.