

CARLSON WOULD INDE CHECK

BANKERS THAT DOCUMENT BE BARRED

LENGTHY ARGUMENT IS MADE AT PRELIMINARY HEARING

Defense Attempts to Show That Part of the Evidence Against Promoter Was Obtained Illegally

Arguments having for their purpose the exclusion of the \$127.65 check, the basis of the embezzlement charge on which W. H. Carlson is now undergoing a preliminary examination, were reopened in Justice Stephens' court yesterday and occupied the entire day. The point at issue was then submitted and the hearing was continued to 10 o'clock today.

Carlson, through his attorney, T. J. MacGeehan, contends the check was obtained surreptitiously and that its introduction into the evidence is a violation of a constitutional provision that a person is not required to give evidence against himself.

The aim of the defense is to show how the check was procured by Deputy District Attorney Blair, but the latter, beyond stating that no law was violated when the check was obtained, refused to state from whom it was received, and his objections to its introduction in this connection were sustained by the justice.

It is probable the hearing will be concluded this week.

BAINBRIDGE'S ACTION IS APPROVED FULLY

Desk Opened, but Nothing Revealed Which Showed Treasury Department Dissatisfied with Man in Charge of Customs

PARIS, April 19.—The desk in the consulate of William E. Bainbridge, confidential agent in the United States treasury department, in charge of its Paris customs bureau, who committed suicide in this city Saturday, was opened this morning by Justice Wilbur Friday, and a box of cartridges, five of which were missing, and a slip of paper, in Mr. Bainbridge's handwriting, describing himself as being a "pilot," were found in the desk.

None of the official papers found, however, disclosed the slightest evidence that the department was dissatisfied with Mr. Bainbridge's work. Washington had sent neither criticism nor reproach, and a letter received this morning from James B. Reynolds, assistant secretary of the treasury, was of the most friendly character.

It is known that Washington fully approved of Mr. Bainbridge's action in a recent smuggling case. The documents found confirmed the opinion previously entertained at the consulate that Mr. Bainbridge had broken down from overwork, that he was temporarily insane, and that he took his life while suffering from the mania of persecution.

M. Martin, the agent of the American line of steamers, says he furnished Mr. Bainbridge complete information proving the trunk smugglers were experts, and were working in collusion with people in the New York customs house.

They took advantage of Mr. Martin's absence from Paris to send three trunks via Antwerp and four via Southampton.

They gave names that subsequently were found to be fictitious and assigned the trunks to passengers who had previously sailed for New York, and who were well known at the customs office in New York.

Each trunk, M. Martin says, appeared on the ship's cargo manifest, a fact showing the smugglers expected cooperation on the arrival of the trunks in New York.

This gang had not been captured when the exposure came, and two trunks lying here for shipment were hurriedly withdrawn.

The body of Mr. Bainbridge was removed to the military hospital of the American church in Paris, where it will remain until it is sent home.

SHOWS ROOT INSISTED ON PUNISHMENT FOR SLAYERS

Former Secretary of State Would Not Accept Money Payment to Relatives of Victim

WASHINGTON, April 19.—How insistent the American government really was several years ago in demanding of the Persian government the punishment of the murderers of Rev. E. W. Lubbare, an American missionary, "according to the measure of their guilt," appears in correspondence made public today by the state department.

Secretary Root is reported to have accepted a money payment of \$20,000 to the relatives of the missionary in lieu of the "faithful performance of the clear duty of the Persian government."

DENNIS KEARNEY ACCUSED OF HAVING BURGLARS' KIT

Son of Late Agitator Against Chinese Says Tools Were Used in His Occupation—Is Discharged

SAN FRANCISCO, April 19.—Dennis Kearney, son of the late political agitator of the same name, better known as "Sand Lot" Kearney, and originator of the phrase, "The Chinese must be kept out of this country," was discharged today, charged with having burglar's tools in his possession.

He said in court that he was a meter inspector, and that the keys found on him were necessary to his occupation. The charge was dismissed.

News of the Courts

CAR HITS AUTO; FIRST DAMAGE SUIT BEGINS

OCCUPANTS OF MACHINE SUE RAILWAY COMPANY

Raymond McKibben and Wife Allege Los Angeles-Pacific Was Negligent and Violated Speed Ordinance

The trial of the first of several damage suits growing out of the same accident was begun before a jury in Judge Conroy's court yesterday, with Raymond McKibben and his wife, Mrs. Elsie May McKibben, as plaintiffs, and the Los Angeles-Pacific company as defendant.

The McKibbens allege negligence on the part of the railway company and violation of the ordinance limiting the speed of cars within the city limits August 3, when an automobile in which they were riding as guests of Mr. and Mrs. Cory G. Hoff was struck by a two-car train at Sixteenth street and Western avenue.

The company, through its attorneys, seeks to lay the blame on the occupants of the automobile, alleging they approached the railway tracks recklessly. Damages in the sum of \$15,000 are demanded, and on the outcome of the trial depends, it is said, the disposition of actions filed by other members of the automobile party.

SAYS WIFE DROVE HIM OUT OF HOME

KRAUSE DIVORCE SUIT HEARD

Defendant Denies Accusations of Drinking to Excess—Four Decrees Granted in Superior Court

The contested divorce suit of Margaret J. Krause against Oscar W. Krause, in which the wife charged failure to provide, was submitted to Judge Hervey of the superior court yesterday. Krause denied his wife's accusations that he drank to excess and declared he left home because his wife had ordered him to do so.

Four decrees of divorce were granted as follows: Harold J. Stadler from Hetty Stadler, Katie Pearlman from Louis Pearlman, Ruth Cline from Arthur Cline and Florence Weist from Edward T. Weist.

Two suits were filed, Karl W. Wornor against Rosa Lena Wornor and Arthur W. Berton against Mary C. Berton.

YOUNG OFFENDERS TELL PAST HISTORY

Buster Griffin and Frank Dupre Persecuted to Relate to Officers

Buster Griffin and Frank Dupre, the boy burglars who refused to tell the county authorities anything regarding their past, unmasked themselves yesterday, the prevailing influence being a 15-year sentence in San Quentin imposed on Griffin by Judge Wilbur Friday.

The young men robbed two business houses at Pomona several weeks ago, and after hiding anything regarding their past, unmasked themselves yesterday, the prevailing influence being a 15-year sentence in San Quentin imposed on Griffin by Judge Wilbur Friday.

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EMBEZZLES FROM MAN WHO GAVE HIM SECOND CHANCE

Clerk Again Robs Employer Who Hired Him After Securing Parole from Prison

A Lubeck, proprietor of a pawn shop at 107 East First street, swore to a complaint yesterday charging his clerk, Sam Solomon, with embezzling diamonds valued at \$500. Solomon disappeared Saturday and has not been located. This is the second time he is said to have disappeared with jewelry belonging to Lubeck.

A peculiar feature of the case is that Lubeck was robbed by Solomon November 18, 1907, when the latter, after taking \$500 and two diamond rings valued at \$200, disappeared and was caught at Albuquerque, N. M., six days later. He was convicted on a charge of felonious embezzlement and sentenced to San Quentin for two years, January 12, 1908.

Lubeck believed there was some good in his clerk and was instrumental in getting Solomon paroled March 1, 1908. Solomon returned to Los Angeles and was given his old position by Lubeck.

Saturday Solomon disappeared and Lubeck missed a diamond ring and a horseshoe pin set with fifteen diamonds.

ORDERS JUDGE TO SETTLE BILL IN ATTORNEY'S CASE

Hutton Tells Supreme Court Exceptions Contained Misleading Statements

The supreme court yesterday ordered a writ issued compelling Judge Hutton of the superior court to settle the bill of exceptions in the disbarment proceedings of W. J. Danford, an attorney. Judge Hutton, who responded to a citation to show cause why he refused to settle the bill, told the court it contained misleading statements, and John North, deputy district attorney, who appeared with Hutton, declared the bill did not contain the facts in the case.

The last session of the April term of the supreme court at Los Angeles was held yesterday. The next session of the court will be held at Sacramento, May 3.

DISTRIBUTE COPIES OF LIGHTING LAW

Supervisors Send Out Information to Unincorporated Villages Seeking Illumination of Highways

In response to several petitions for the furnishing of lights along county highways, the board of supervisors yesterday ordered 500 copies of the state law providing the method by which lights may be procured and these copies will be sent to persons making inquiries on the subject.

The law was adopted two years ago and provides that, upon application by petition of twenty-five or more taxpayers and residents of the town or village to the board of supervisors for the formation of a public highway lighting district, the board will, within ten days, order that an election be held for that purpose in the proposed district, the voting to take place within forty days after the date of the election.

The expense of maintaining these lighting systems must be defrayed by the districts in which they are established, the board of supervisors, on or before the first of September each year, making an estimate of the cost for the ensuing fiscal year and levying a special tax upon the taxable property in the districts.

NEGRO PLACED ON TRIAL FOR DEATH OF HIS WIFE

Charged That Maston Cut Throat and Slashed Body of Woman with a Razor

Thomas Maston, a negro, was placed on trial in Judge Willis' department of the criminal court yesterday, charged with the murder of his wife, Annie Haywood Maston, February 15. Few witnesses were examined, and when court adjourned C. C. McComas, assistant district attorney, in charge of the prosecution, had concluded his argument. The case will go to the jury by noon today.

Mrs. Maston was found dead in her room early in the morning of February 15, her throat cut and her body slashed with a razor. Maston, who had disappeared, was found in a box car at Chatsworth Park by Sheriff Hamner, and two deputies a couple of days later.

His remarks and hesitation placed him at a disadvantage and the customer, who had been waiting for the opportunity, with one swoop he seized a stack of lemon pies and brought them down with terrific force on the head of the hapless Eiden.

"I'll make a mother-in-law of you," hissed the customer as Eiden staggered backward into 43 cents' worth of combination salad.

NEGLECT OF SUMMONS TO BE PUNISHED BY FINES

Justice Stephens Says Court Business Is Hampered by Dilatory Witnesses

The failure of persons to respond to summonses, compelling the continuing delay in the hearing of others, was considered yesterday by Justice Stephens when he imposed a fine of \$100 upon Alexander Stohl for contempt. Stohl was summoned to appear in court Saturday in supplementary proceedings instituted by Nic Treis following a judgment against Stohl's order and was taken to the justice court by a constable yesterday.

"Failures of this kind are becoming altogether too frequent," said the justice, "and in the future when persons fail to respond to the court's order fines will be imposed."

TAKEN TO PRISON AFTER LONG INCARCERATION IN JAIL

After serving a year and three months in the county jail awaiting the outcome of his appeal to the appellate court for a new trial, William Sykes, convicted on a statutory charge and sentenced by Judge Wilbur to fifteen years in Folsom penitentiary, was taken to the state institution last night. The decision of the appellate court affirming the decision of Judge Wilbur was handed yesterday.

Court Appoints Referees

Judge W. R. Hervey of the superior court yesterday appointed O. E. Parish, John D. Foster and L. W. Skinner as referees to fix the value of property required to be condemned for the building of an alley from Seventh to Eighth streets, between Spring and Broadway. This action is taken in connection with the suit of the city of Los Angeles against J. D. Hooker and others, owners of the property.

Damage Suit Begun

The trial of George P. Gilkerson's suit against the Los Angeles Railway company, in which damages of \$5000 are asked on account of personal injuries, was begun before Judge Crow, sitting for Judge Houser, in the superior court yesterday. Gilkerson, a street laborer employed by the city, was struck by a car while working in a manhole at West Eleventh and Olive streets April 30 last year.

SANGUINARY FIGHT CAUSES SHEDDING OF STRAWBERRY GORE

RESTAURANT OWNER BATTLES WITH CUSTOMER

Horrified Patrons Witness Fierce Encounter with Pastry Missiles. Bill of Fare Exhausted in Fray

"Hit him with a prune! Soak him with the tripe! Knock his block off with a mutton chop!" were cries emanating from a number of excited customers gathered about two combatants in the brilliantly lighted Elderton's Spa, 344 South Broadway, that caused handsomely gowned shoppers and their escorts to gather in front of the plate glass windows of the place early last evening and watch a fierce fight between W. C. Elderton, proprietor of the place, and an indignant diner, during which the entire bill of fare was exhausted in offensive and defensive ammunition.

The trouble, according to a customer who helped to cheer the men to further efforts, occurred over alleged poor service. Elderton was standing near the cashier's desk, which is partly inclosed with a glass partition. The irate customer, who later gave his name as Julius Schwartz, a Holly-wood resident, presented a check for 15 cents and complained of unsatisfactory service.

"What do you expect for 15 cents?" Elderton is supposed to have remarked bitterly. The events following were described later by onlookers.

"Nothing Small About Schwartz" "I expect reasonable service, and would have eaten at least 27 cents' worth if I could have attracted the attention of the waiter giving the order," Schwartz is alleged to have replied sarcastically.

"Well, I'll give you all the service you want," Elderton is said to have retorted, "and I'll give you a Roman punch on Schwartz's nose."

"Here's a kidney stew for you," said the customer, playfully jabbing the restaurant man in the market. Elderton staggered, attempted to regain his balance, then sat squarely on a piece of frosted sponge cake, from which had been removed a piece worth 6 cents.

This was too much for the cashier, who had maintained her post in spite of the hostilities. She gave a shrill scream, the waiter, who had been holding a napkin, stepped forward and seized the customer, who was still sitting on the cake.

Seeing his antagonist preparing to deliver a knockout blow, Elderton glanced about, disdained a dish of omelette, and, reaching for a plate of mince pie labeled "pure and fresh, 5 cents per cut" and hurled it at the advancing customer. The deadly missile struck squarely on the forehead of the customer, who was still sitting on the cake, and he fell back, his head striking the floor.

Elderton's Last Stand "Make another step and I'll brain you with this shortcake," yelled Elderton, goaded to a frenzy at the loss of the pie. His threat had no effect and the customer, still sitting on the cake, seized a custard pie cut in five-portion segments and hurled it just as Elderton threw the shortcake. The pastry landed with such remarkable precision that both fighters paused to pick slabs of pie and cake out of their eyes.

Now in order to inflect profits the gambling element established the extra select quotation and in doing so caused considerable adverse criticism in market circles yesterday. The buying price was not changed to comprise two grades and therefore the question arose as to what right they had to stick on the "extra select" quotation. This extra select business is said to be only another scheme of robbing the retailer and consumer. With the quotation standing yesterday at 27¢, strictly fresh eggs were retailed by many dealers at 25¢ a dozen. It is said that even with the surplus now going into storage there is no natural cause for holding the price of eggs to the 25¢ quotation and that the 27¢ quotation is excessive.

Peas declined to 12 1/2¢ a pound and potatoes to 12¢ a bushel. Asparagus declined to 2¢ a pound. The drop was due to heavy receipts and a large holding of the article.

Northern strawberry rhubarb advanced to \$1.75 a crate. Receipts were light and the demand for holding the price of the berry experienced a big advance, the new quotation being \$4.50 a crate for the best stock.

Few blackberries were on hand, selling at 12¢ a pint box. The market was flooded with strawberries. Receipts were plentiful.

PRODUCE RECEIPTS

Eggs, cases, 2,015; Butter, local, pounds, 2,015; Potatoes, sacks, 471; Sweet potatoes, sacks, 18; Onions, sacks, 182.

PRODUCE PRICES

Following are the wholesale jobbing prices: PEACHES—California, \$1.00; lemons, \$1.25; oranges, 50¢; grapefruit, \$1.00.

PEPPERS—according to variety—Bell, \$1.00; red, \$1.00; green, \$1.00; white winter, \$1.00; black, \$1.00.

BANANAS—4¢ lb. choice, \$1.75; 2¢; sweets, \$1.75.

POTATOES (cwt.)—\$1.75; 2¢; sweets, \$1.75.

VEGETABLES—Beets, per dozen bunches, \$1.00; string beans, a pound, 15¢; carrots, 20¢; celery, \$1.50; cauliflower, \$1.00; cabbages, \$1.00; corn, \$1.00; cucumbers, \$1.00; egg plants, 25¢; peppers, 50¢; peas, 15¢; spinach, 20¢.

HONEY—Extracted, W. W. 40¢; comb, 45¢; 1-lb. frames, 15¢; comb, 15¢; white, 15¢; comb, light amber, 15¢; 1-lb. frames, 15¢.

CHERRY (per lb.)—Northern fresh, 17¢; Anchor, 15¢; Anchor, hand, 20¢; eastern simple, 15¢; do winter, 15¢; do cherry, 15¢; do Japan, 15¢; do domestic, 15¢; do cream, 15¢; do domestic, 15¢; do cream, 15¢.

BEANS (per lb.)—Small white, 8¢; lady Washington, 10¢; pink, 10¢; black, 10¢; 1-lb. frames, 15¢; Garvanza, 10¢; lentils, 10¢; navy, 10¢; Bermuda, 10¢.

CHILI (pound)—Evaporated, 9¢; 15¢; 20¢; 25¢; 30¢; Mexican black, 15¢; green chili, 20¢.

GARLIC—10¢ lb. Almonds, fancy XL and No. 1, 14¢; Brazil, 14¢; California peanuts, raw, 5¢; roasted, 6¢; eastern, 14¢; Japan peanuts, 5¢; roasted California, 6¢; No. 1 fancy almonds, 14¢; No. 2, 12¢; No. 3, 10¢; No. 4, 8¢; No. 5, 6¢; No. 6, 4¢; No. 7, 3¢; No. 8, 2¢; No. 9, 1¢; No. 10, 1¢; No. 11, 1¢; No. 12, 1¢.

Nervous and Generally Run Down



Mr. A. A. Graham of 181 N. Elizabeth Street, Chicago, Ill., is so pleased with the results derived from taking Duffy's Pure Malt Whiskey, when nervous and run down, he wishes to tell the public, so that men and women who need a good tonic stimulant may know what the world's best tonic and nerve builder has done for him.

Mr. Graham writes: "I have just finished using four bottles of Duffy's Pure Malt Whiskey for a generally run-down and nervous condition, and I am so gratified at the results that I feel in duty bound to send you a few words of praise of it. I can truthfully say that it worked wonders with me, and I will cheerfully recommend it to anyone, young or old, who is suffering as I had suffered before using your tonic stimulant. Hope this statement will be the means of helping some unfortunate sufferer."

Leading doctors agree that Duffy's Pure Malt Whiskey has no equal as a destroyer of poisonous germs in the body. It is indorsed by clergymen of every faith, nurses and doctors of all schools, as a positive cure for dyspepsia, indigestion, nervous prostration, all diseases of the throat and lungs, every form of diseased conditions of the body, brain and muscle. It is a heart tonic, blood purifier and promoter of health and long life. Every testimonial is guaranteed genuine and is published in good faith and with full consent.

Duffy's Pure Malt Whiskey

If you wish to keep young, strong and vigorous and have on your cheeks the glow of perfect health, take Duffy's Pure Malt Whiskey regularly, according to directions. It tones and strengthens the heart action and purifies the entire system. It is recognized as a family medicine everywhere.

CAUTION—When you ask your druggist, grocer or dealer for Duffy's Pure Malt Whiskey, be sure you get the genuine. It's the only absolutely pure medicinal malt whiskey and is sold in sealed bottles only; never in the open. Beware of cheap imitations. Write for the "Old Chemist," on the label, and make sure the seal over the cork is unbroken. Write Consulting Physician, Duffy Malt Whiskey Co., Rochester, N. Y., for free illustrated medical booklet and free advice.

GAMBLING ELEMENT SETS HIGH PRICE ON EGGS

EXTRA SELECT MAY BE SCHEME TO ROB CONSUMER

New Quotation Leaves Four-Cent Profit and Only One Buying Price

The speculative element in the Los Angeles market established yesterday a new quotation on eggs, to be known as "extra select." This new quotation is 2¢ higher than the old selling price, being 27¢ a dozen, and is alleged to govern the sale of selected eggs. The regular selling price, known as "California ranch candied," was supposed to include candied eggs and therefore perfect eggs. Now in order to inflate profits the gambling element established the extra select quotation and in doing so caused considerable adverse criticism in market circles yesterday.

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PEPPERS—according to variety—Bell, \$1.00; red, \$1.00; green, \$1.00; white winter, \$1.00; black, \$1.00.

BANANAS—4¢ lb. choice, \$1.75; 2¢; sweets, \$1.75.

POTATOES (cwt.)—\$1.75; 2¢; sweets, \$1.75.

VEGETABLES—Beets, per dozen bunches, \$1.00; string beans, a pound, 15¢; carrots, 20¢; celery, \$1.50; cauliflower, \$1.00; cabbages, \$1.00; corn, \$1.00; cucumbers, \$1.00; egg plants, 25¢; peppers, 50¢; peas, 15¢; spinach, 20¢.

HONEY—Extracted, W. W. 40¢; comb, 45¢; 1-lb. frames, 15¢; comb, 15¢; white, 15¢; comb, light amber, 15¢; 1-lb. frames, 15¢.

Butter and Eggs at Retail

Butter, 2-pound fancy, 45¢; Butter, 2-pound roll, choice, 40¢; Cooking butter, 2-pound roll, 35¢; Eggs, dozen, 25¢.

Local Hay Market

HAY—Choice curly hay, \$4.00; No. 1, \$3.00; choice wheat hay, \$2.00; No. 1, \$2.00; No. 2, \$1.50; alfalfa, \$1.00; stock hay, \$1.00; timothy, \$1.00; straw, \$0.50.

FLOUR AND FEED PRICES AT LOS ANGELES MILLS

The following quotations prevail at the Globe mills: No. 1 flour, \$7.00; No. 2 flour, \$6.50; No. 3 flour, \$6.00; No. 4 flour, \$5.50; No. 5 flour, \$5.00; No. 6 flour, \$4.50; No. 7 flour, \$4.00; No. 8 flour, \$3.50; No. 9 flour, \$3.00; No. 10 flour, \$2.50; No. 11 flour, \$2.00; No. 12 flour, \$1.50.

MEAL AND CEREAL GOODS (per 100 lbs.) No. 1 flour, \$7.00; No. 2 flour, \$6.50; No. 3 flour, \$6.00; No. 4 flour, \$5.50; No. 5 flour, \$5.00; No. 6 flour, \$4.50; No. 7 flour, \$4.00; No. 8 flour, \$3.50; No. 9 flour, \$3.00; No. 10 flour, \$2.50; No. 11 flour, \$2.00; No. 12 flour, \$1.50.

Wheat, No. 1 (100 lbs.), \$2.20; cracked corn, 100 lbs., \$1.85; feed meal, 100 lbs., \$1.50; rolled barley, 100 lbs., \$1.15; oat meal, 100 lbs., \$1.00; shorts, 100 lbs., \$1.00; heavy bran, 100 lbs., \$1.00; kafir corn, 100 lbs., \$1.00; white oats, 100 lbs., \$1.25; seed rye, 100 lbs., \$2.00.

To Make Entire State Dry

RICHMOND, Va., April 19.—With ninety out of 100 counties in Virginia already "dry," the prohibition forces are preparing to attack Richmond, Petersburg and Newport News, Norfolk and Portsmouth, the only remaining license cities in the state. In fact the campaign has already opened in Petersburg and the tide-water cities. An effort will be made to close the saloons in the cities named by means of local option elections, failing in which, temperance crusaders will endeavor to pass a state-wide prohibition.

You never know what you can do till you try.—Gerrman.

Killed in Folding Bed—The folding bed accident which used to be common some years ago, before the patent beds were not so well constructed as now, caused the death of James F. Mayer, a feather curler, in Williamsburg Sunday. During the night the bed began to rise and was pushed by an unseen hand, pinning both Mayer and his wife. Before they could be extricated Mayer was dead and Mrs. Mayer seriously injured.

Liquor Forms Issue—Ninety per cent of the cities and villages of Illinois will hold their municipal elections today. In a majority of them the straightway issue appears to be whether the local option law shall be enforced strictly and the saloon question in one way or another has entered into the campaign in practically all of them. No cities or villages will vote directly upon the local option question. The greater part of the townships voted on this question in 1908.

Aids Nature

The great success of Dr. Pierce's Golden Medical Discovery in curing weak stomachs, wasted bodies, weak lungs, an obstinate and lingering cough, is based on the recognition of the fundamental truth that "Golden Medical Discovery" supplies Nature with body-building, tissue-repairing, muscle-making materials, in condensed and concentrated form. With