

ROYAL BAKING POWDER

Absolutely Pure.

Made from Grape Cream of Tartar. Most healthful and efficient of all leavening agents.



Many mixtures, made in imitation of baking powders, are upon the market. They are sold cheaply, but are dear at any price, because they contain alum, a corrosive poison.

SALE INCITES AN ASSAULT

Banguinary Clash Between Representatives of People's Store and Hayden's.

OVER ALLEGED CHANGE OF COST TAGS

Attorney Connell, Employed by the Rosenhals, Visits Hayden's Establishment and Comes Away with a Bloody Nose.

A lively and somewhat sensational fight between the People's Store and Hayden Bros. has broken out over the sale of the stock of dry goods, shoes and groceries of the former to the latter.

Open hostilities occurred yesterday in the shape of an assault by Mr. Nash, one of the employees of Hayden Bros., upon W. J. Connell, attorney for the Rosenhals brothers, proprietors of the People's Store.

The affair occurred in the Hayden store at a time when it was filled with shoppers, mostly women, and created considerable excitement.

The events leading up to this assault are of a somewhat interesting character, and the story, by reason of the assault on Mr. Connell, has become public property.

The agreed price of the sale of the Rosenhals store to Hayden was the invoice price of the goods, with a certain per cent discount.

When the goods were about two-thirds delivered the Rosenhals, it is asserted, learned from one of their clerks that through the connivance of some of their employees the goods were being listed at figures much below the cost price, and that the cost price tickets were being changed to correspond.

The informant declared that certain lines of goods, originally invoiced at 60 cents, were being listed for the purpose of this sale at 40 cents.

Manager Rosenhals at once consulted his attorney, who advised him to see William Hayden before the goods were placed on sale or in stock, and get him to consent to have the tickets examined at once, in order to prove what the changes were and to what extent they had been made.

"In this way," said Mr. Connell to Rosenhals, "you can show the correctness of your claim."

An interview with Mr. Hayden resulted in the following:

Can't Keep It Up.

Can't Deceive Omaha People Very Long—They Learn Quickly.

It is sometimes an easy matter to fool the public, but you can't keep it up very long. They are sure to find you out, and every time a man is fooled another skeptic is made. We are naturally skeptical when reading a published statement given by some stranger residing in a far-away place, but the circumstances are entirely different when home endorsement is presented. The testimony of local citizens renders deceit impossible. It is so easy for you to investigate. Read this one case:

Mr. Fred E. Hall, of 508 North Thirty-second street, employed at the railroad bridge two miles from the city, says: "I had a bad back for about a year and in the winter of 1898 it became very severe. When I got down it was difficult to get up and, stopping, sharp pains caught me in the small of the back and my kidneys were weak. It was for this that I procured Doan's Kidney Pills at Kuhn & Co.'s drug store. Since using them I have had no occasion to complain of my back or kidneys, and I have told friends my high opinion of Doan's Kidney Pills and I will personally corroborate the above at any time."

Doan's Kidney Pills are sold for 50 cents per box. Foster-McMillan Co., Buffalo, N. Y., sole agents for the United States. Send by mail on receipt of price. For sale by all dealers.

Remember the name, Doan's, and take no other.

ARRANGEMENT TO HAVE THE MATTER FULLY INVESTIGATED AT THE CLOSE OF THE DAY'S BUSINESS.

Connell Gets a Bloody Nose.

CITY PROFITS BY QUEER LAW

Hindus Exist in City Government During Which No Salary is Paid to the Council.

The council spent three hours yesterday in an effort to find an equitable plan for the payment of the outgoing and incoming members. According to the charter framed by populist hands three years ago the old body went out of existence on March 19, or at such time as its successors were elected and qualified. The salary ordinance, as prepared by the comptroller, fixed the pay of the old and new members for the month of March at \$62.50 and \$12.50, respectively, thus making up the usual total of \$75.

Councilman Haswell raised the point, however, that he had qualified on March 19, and that Stubb, his predecessor, was therefore only entitled to pay for the five days following March 25, when he was authorized to take his seat. During the seven days intervening Haswell held that there was no council in existence. On his motion, the council at the rate of \$2.50 per day up to the day his successor qualified. During the hiatus between the two regimes the city saves the salary of the whole council, amounting in the aggregate to over \$100.

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TRUSTEE OF GREATER AMERICAN EXPOSITION FILES AMENDED BILL.

The proceedings in the United States district court in certain creditors of the Greater American Exposition Association pursuing their remedies in the state courts have been started anew, with the filing of an amended bill of complaint by the trustee in bankruptcy who has charge of the property of the defunct corporation.

NOTES OF THE COURTS.

Judge Dickinson is confined to his room on account of sickness, so there was no action on his docket yesterday.

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There is a notable falling off of new litigation in the district court. Less than a dozen petitions have been filed within the last week.

May Cole's suit for collection of a lightning insurance policy is still on trial before Judge Slabaugh, having been carried over from last week.

Next week Judge Munger will go to Sioux Falls, where he will hold court for Judge Carlisle, who is on vacation in Omaha, keeping up the work of Judge Munger.

Judge Vinsonhuler of the county court has filed with the county commissioners his official report for the quarter ending March 31. It shows the total receipts of the office to be \$67.19, disbursements, \$68.63, leaving a balance of \$1.44 due the county.

The United States court of appeals has handed down a mandate in the case of J. McDonald, executor of the estate of E. Thompson, in which the decision of the circuit court is affirmed and the respondent awarded judgment for \$18.33 due the county.

The case went up on a writ of error, which was afterwards withdrawn.

Eugene H. and William S. Snow, lately in business at Holmgren under the firm name of Snow Bros., have filed petition asking that they be declared bankrupt. The firm owes \$601, with no assets. William S. Snow owes nothing and is worth \$5, while the assets and liabilities of Eugene H. Snow balance at \$16.

CAPTAIN MESSNER AT ST. PAUL.

St. Paul, Minn., April 2.—Captain Charles E. Messner, U. S. N., arrived in this city today. He was given an enthusiastic reception and will be the guest of the city for the remainder of the week.

WORN OUT? TRY MARIANI

MARIANI WINE

WORLD'S FAMOUS TONIC.

Mariani Wine is a tonic prepared upon truly scientific principles. It is safe and beneficial as well as agreeable.

Mariani Wine gives power to the brain, strength and elasticity to the muscles and richness to the blood. It is a promoter of good health and longevity. Makes the old young, keeps the young strong.

Mariani Wine is especially recommended for general debility, Overwork, Weakness from whatever cause, Profound Depression and Exhaustion, Throat and Lung Diseases, La Grippe, Consumption and Malaria. It is a diffusible tonic for the entire system.

Mariani Wine is invaluable for overworked men, delicate women and feeble children. It stimulates, strengthens and sustains the system and braces the body. It cures Malaria and La Grippe. May be used effectively in form of a beverage.

Sold by all druggists. Beware of imitations. Mariani & Co., 22 W. 12th St., New York. Write for a sample book of endorsements of Emperors, Princes, Princesses, Cardinals, Archbishops, and other distinguished persons. It is sent gratis and post paid to all who write for it.

TURNS IT INTO A COMEDY

Amusing Incidents in the Trial of Hugh Landy Before Judge Baker.

HE IS CHARGED WITH BEING BANDIT ACT

One of the Witnesses Chants the Oath in Lord's Prayer Fashion and a Lawyer Gets Mixed on His Dates.

The trial of Hugh Landy before Judge Baker on the charge of complicity in "holding up" a street car conductor on the night of November 29, took a comical turn yesterday morning. The proceedings were handled largely by the efforts of the court and two balliffs to maintain order among the spectators. When this trial began Friday afternoon it was featureless, and but little attention was attracted outside of those who were involved. But the proceedings yesterday brought to Judge Baker's court room a large crowd of spectators.

A young woman from South Omaha, who was regarded as a material witness because the defense relied upon her to assist in establishing an alibi, came into the court room talking a foreign tongue from the time she entered the door. The attorney who caused her to be subpoenaed was not aware that she could not speak English and no provision had been made for an interpreter.

"Hold on," said Judge Baker, "you will have to get some one to interpret."

The attorney for the defense made a canvass of the court room, but nobody volunteered to translate into English what the young woman was saying. At last an interpreter was brought in from the outside, and he to the court and Judge Baker, and a young woman to stand up and be sworn. She didn't know what that meant, but the interpreter made her understand. She arose and lifted her right hand to the greatest possible elevation above her head. Then Judge Baker repeated the usual oath in English and measured tones. The witness evidently understood the proceeding to be some sort of worship, for she raised her voice to a pitch corresponding with her uplifted hand and chanted the oath in broken English, Lord's prayer fashion, repeating it for word after word after Judge Baker, even down to the "so help you God."

The court observed the sincerity of the young woman and let it go at that. She proved to be of no value as a witness, owing to her inability to comprehend what was meant by the questions asked by the lawyers. That the girl-witness was frightened was evidenced by her flushed face and trembling manner. She has only been in America a short time and it was her first experience with the courts.

The amusement caused by the chanting of the oath had scarcely ceased when one of the lawyers for the defense made a mistake that caused more merriment.

"Did you remember defendant in South Omaha on the night of November last?" asked the lawyer.

A puzzled expression settled over the face of the witness and there was no reply.

"Answer my question," stormed the lawyer. "I was asked if you saw this defendant in South Omaha on the night of November last?"

"Hold on a minute," said Judge Baker, "and put that question a little more definite. What were the several nights in November, you ought to know."

That awakened the lawyer, and he inquired "November 29" in his question.

Hugh Landy and Ray Brown are jointly charged with the street railway holdup, it being alleged that they were the conductor. The robbery was executed in regulation bandit style, the perpetrators being armed with guns of great caliber and their faces covered by black masks.

The defendants are being tried separately. Landy asserts that he was in Council Bluffs on the night of the robbery, while Brown declares he was in South Omaha. Thus far the defense has been unable to secure the services of a witness from Council Bluffs by whom it is hoped to establish an alibi for Landy and as the next report Landy's lawyer is attempting to show that Brown was in South Omaha on the night in question, and proving that he and Landy were not together. As soon as the Landy case is out of the way Brown will be tried.

STARTS THE CASE OVER AGAIN.

Trustee of Greater American Exposition Files Amended Bill.

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Burkley said he did not object to cutting Stubb's salary if all the other councilmen were treated in the same manner, and he inquired of the city clerk when other new incumbents had qualified. It developed that Hoye, Zimman, Lebeck, Karr and Mount had filed their certificates of election on March 23, Burkley on March 22, and Whitehorn and Troetter on March 21. It was finally agreed to pay each outgoing councilman at the rate of \$2.50 per day up to the day his successor qualified. During the hiatus between the two regimes the city saves the salary of the whole council, amounting in the aggregate to over \$100.

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The defendant is charged with publishing a libelous article in the Omaha Bee, in which he accused E. Rosewater of being a thief and a liar, and of having committed a crime. The article was published in the issue of the Omaha Bee of March 29, 1900.

The hearing was postponed until the next day, as the defendant's attorney was unable to appear.

The case is expected to be heard again on the next day.

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CONSIDERATION OF NOTES FAILS.

Sensational Answer by Defendant in Purpose Suit.

A rather sensational answer has been filed in the United States circuit court by Erastus B. Wells in the case of James A. Allen against Wells and others. The case involves the foreclosure of a certain mortgage on land in this state, and the collection of certain notes given by Wells and his wife as purchase price. The answer sets up that the land in question was the property of one Hamilton Moore, who made a verbal contract with the plaintiff, Josephus Moore, to sell the land to him for \$10,000. The consideration being that the son should provide a home for his father and mother, and should improve the land; that, acting under this contract, Josephus did so provide the home until his mother died, and that a short time before the death of his father, when the father went to visit other sons in Indiana; that while the father was in Indiana the sons exercised undue influence over him and caused him to deed the land to their wives, and that the wives, for the purpose of defrauding Josephus Moore, deeded the land, without consideration, to one Ohave, who sold it to the defendant; that when the defendant purchased the land he had no knowledge of the claim of Josephus Moore, which has proven paramount to his own; that the notes given by defendant to Ohave were transferred, after maturity, to the plaintiff, and that, therefore, he cannot claim to be an innocent purchaser without notice.

WANT TO MAKE RECORD COMPLETE.

Directors of Defunct Capital National Bank Ask Aid of Court.

A reminder of the days of Charles Mosher was up before Judge Munger yesterday when the defendants in the case of Holt against Mosher and the directors of the Capital National bank applied to the judge to have the records in the case made more complete. The case originated in Seward county in 1885, and at that time the defendants attempted to have removed from the state courts, to that of the United States.

As the petition at that time showed no federal statutes involved in the case it was remanded to the state court. The plaintiff then amended his petition to show that the direct laws were governed by the national banking laws, and the defendants again moved to have the case transferred to the federal court, which was done. Now the defendants ask to have the court make an order showing that the case was transferred to the federal court as soon as a federal question was raised.

No opinion was ever filed in this case in the circuit court, but it was stipulated that the opinion filed by Judge Shiras, who presided at the trial, in the case of Bailey against the same defendants, should apply to this case, and the defendants also desire the judge to certify to the court of appeals. The matter will be referred to Judge Shiras.

ENJOINS TRANSPORTATION BOARD.

Cannot Act in Norfolk Case Till Burlington Appeal is Decided.

Yesterday in the United States circuit court Judge Munger granted a temporary restraining order in the case of the stockholders of the Fremont, Elkhorn & Missouri Valley, the Chicago, St. Paul, Minneapolis & Omaha and the Chicago & Northwestern against these roads and the Board of Transportation. The points involved in the case are the same as those in the case of the Burlington road recently decided.

By the order the Board of Transportation is restrained until next Wednesday putting into effect any rate or regulations and from hearing the cases of these roads now pending before the board. These cases were set for hearing at Lincoln last Thursday, but were continued until today, and the stockholders are to be heard on the matter of the restraining order.

It is understood that the order granted yesterday will be continued from time to time until the Burlington case is decided by the court of appeals.

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DON'T ARGUE With a LAME BACK

James A. Shay, of the New York "Clipper," writes as follows:

"I cannot find language to express what I think of Warner's Safe Cure. For some years I suffered with kidney trouble and lame back, and could not attend to business, and at times I could hardly walk. I consulted the best doctors I could hear of, and spent hundreds of dollars purchasing medicine to relieve me, but could obtain no relief, and one year ago I began to take Warner's Safe Cure. I used it faithfully for three months, and improved greatly, and today consider myself among those who are strong and healthy. I regard Warner's Safe Cure as the one thing in this world useful to those suffering from kidney trouble."

SUPLIANT HANDS EXTENDED

Many Petitioners See for the Favors at the Mayor's Disposal.

LOTS OF APPOINTMENTS ARE DRAWN UP

Names of Some Prize Winners Will Be Submitted to the Council Tonight and Others May Follow in Two Weeks.

In accordance with the provisions of the charter the mayor will submit a list of appointments to the council this evening. The charter specifies that the following officials must be named by the mayor on the fourth Tuesday after election: Health commissioner, city prosecutor, city attorney, city electrician and the building, boiler and plumbing inspectors.

The other offices at the disposal of the mayor may be submitted up to and including the sixth Tuesday after election, so that the appointments may go to the council in two batches.

So far the executive has taken no one into his confidence in the matter of appointments and no conjecture can be made as to who the prize winners will be.

For the office of city attorney there are no prominent aspirants for the shoes of W. J. Connell, although a number of pretenses have been filed by persons opposed to his appointment.

Strife for Scott's Place.

A considerable number are seeking the berth of assistant city attorney, now occupied by Edgar H. Scott. The assistant is chosen by his chief under the direction of the mayor. Principal among the applicants are Charles Morgan of the Sixth ward, Henry Stoddard of the Ninth ward, J. F. Parish and Phil E. Winter of the Fourth ward.

With reference to the office of city electrician, so far as known, no applicants want the place other than Edward F. Schurig, the present incumbent.

For the office of city engineer William J. McEathron, a civil engineer of the Third ward, has an application in to displace Andrew Rosewater.

The best known candidates for the position of building inspector are Deputy Building Inspector R. B. Carter of the Sixth ward, Andrew Kiewit of the Second ward, George Bassett and George Church of the Sixth ward. A host of petitioners ask for the position of assistant.

Colored Claimants Lead the Race.

J. W. Long, inspector of weights and measures, hopes to continue in his capacity. His chief competitor is George Johnson, also a representative of the colored race, at present employed in the Delene office. Johnson's support comes from the Third ward. Tom Mahanitt, the colored attendant in the mayor's office, also looks for this place.

Harvey Hinton is seeking anew the appointment to the plumbing inspector, his rivals, so far as known, being limited to John Lynch, whose claim is being urged by Second ward residents, and Robert Duncan of the Fourth ward.

Charles Unit is again an applicant for re-appointment as boiler inspector. A petition from a number of trades unions endorses Kennedy, Foley and Madden, any one being acceptable who may meet with favor in the eyes of the mayor. Another candidate is D. W. Gilbert of the Second ward.

A lively contest is on for the superintendency of the city hall. Jerry Sedgewick, the present incumbent, is naturally using all the means of persuasion to keep his place, while other candidates are Ed Mulvey of the Sixth ward, C. Van Ness, a veteran of the civil war, endorsed by citizens of the Third ward, and Ed Simpson of the Eighth ward.