

A VICTORY FOR W. H. BAKER

Can Use His Own Name on His Chocolate and Cocoa.

Sustained by the Court in His Contention—The Thorough Examination of His Fine Plant at Annandale, New York.

HE WILL PROTECT DEALERS' RIGHTS

Ready to Assume All Responsibility for Any Lawsuit Brought for Handling His Goods.

WINCHESTER, Va., Oct. 13.—Interest here in the recent decision of Circuit Judge Paul, sustaining Mr. W. H. Baker in his right to use his own name in the chocolate and cocoa business, is very general. Mr. Baker is an old resident of Virginia, and comes from a long line of distinguished ancestry. In his successful legal battles with rival concerns he has won the admiration of his fellow citizens throughout the state of Virginia. Mr. Baker is well and favorably known as a merchant of high standing.

In Judge Paul's decision, W. H. Baker's right to use his own name was vindicated clearly and unequivocally. Judge Paul's decision, in part, was as follows: "But the court refuses to enjoin the respondent from using the name 'W. H. Baker' in connection with the manufacture of chocolate, cocoa or any of the preparations thereof, and from using the blue wrapper upon his plain chocolate, or from making and selling candy of the same shape and size as the plain chocolate and lines thereon as at present used by him, or from putting the words 'W. H. Baker' on any wrapper moulds of the shape, size, etc., in which the said chocolate is now made."

The court also refused to interfere with the use of 'W. H. Baker's powdered cocoa' as a trademark, or to require him to put his initials before the word 'Baker' over the picture of a girl and to make other slight changes.

The court provides that Mr. Baker shall in every instance use his full name, 'W. H. Baker,' or 'W. H. Baker & Co.,' in every place where the name 'Baker' or 'Baker's' appears alone; and that the words 'W. H. Baker' or 'Established' and the word 'Germans' be retained from all labels, etc.

The plant of W. H. Baker's chocolate and cocoa business is located at Annandale, Dutchess county, New York state. It is thoroughly equipped with the most modern machinery for the manufacture of chocolate, and seems to be absolutely perfect in its appointments. Mr. Baker has his own electric light plant and ice machine.

In the manufacture of chocolate and cocoa delicate and costly machinery is required, and the very complete works of W. H. Baker give an adequate idea of the typical up-to-date method of conducting the chocolate and cocoa business on a very large scale.

It is a significant fact that at this time, when business generally is depressed, the great plant of W. H. Baker is running night and day. Both water and steam power are used in the business.

Having been legally established in the chocolate business, W. H. Baker is determined that it shall be known that he intends to "stay" and that the quality of his products will be maintained.

That there may be no mistake about the labels, W. H. Baker is using in his business a description is given. The Premium Chocolate No. 1 will have across the face of the blue label in red ink the words, "Best quality." On every package the name 'W. H. Baker' will be conspicuously and prominently should look carefully for the initials.

The large packages of cocoa will bear the cocoa trade mark, which takes the form of the bust of a girl in jaunty bonnet drinking from a cup of cocoa, holding the cup in her left hand and the saucer in the right. The portrait is oval-shaped and the name 'W. H. Baker's' appears at the top with the word 'cocoa' at the bottom, the background generally being a rich brown, while the immediate background of the portrait is a light blue. The lettering is in white, and the words "Trade Mark" appear at the bottom on a margin of yellow, in brown lettering.

Another trade mark for the chocolate preparations takes the form of a Fleur de Lis of silver, with the words "Trade Mark" also in silver.

At the present time the subject of diet reform is given considerable space in the leading periodicals of the world, and many researches have been made by gentlemen qualified by education and experience to make investigation into this question of diet reform. Among the diet reformers which have been mentioned, bread and chocolate and cocoa form no inconsiderable part. Earnest advocates of diet reform have appeared from time to time throughout the world, but few of them have been influenced in their work largely by the important relation of food reform to the health and well being of all civilized communities. A noted writer on this subject says: "The destiny of nations depends on the manner in which they feed themselves."

There can be no question that chocolate and cocoa, now in such universal use, have a legitimate right to come in for discussion under the head of "diet reforms." In the United States, especially, the enormous beverage is largely taking the place of coffee and tea, and this admitted fact alone is sufficient to direct attention to the absolute necessity for purity in the product.

Many eminent physicians the world over have long maintained that there is more nourishment in coffee and chocolate than in coffee and tea, without the nervousness that follows the excessive use of coffee and tea.

Mr. W. H. Baker points with more than pardonable pride to his guarantee that his cocoa is an extract of selected fruit of unequalled strength. Those who have tasted it attest the fact that the flavor is delicious, and that it is most nutritious and wholesome, most digestible, agreeable to the taste and stimulating to the constitution of all dyspeptics. All the standard products of Mr. Baker's factory, in the future, will bear conspicuously printed upon the labels the word "Best" in red ink, especially upon the unusually observe this point in purchasing cocoa and chocolate.

Mr. Baker announces that he will protect all merchants in any lawsuits that may be brought against them by his competitor, and bear the expenses himself. He positively agrees to assume all responsibility for any damages as assessed. While making this announcement so as to absolutely guarantee protection to the trade, he feels confident that nothing of the sort will be necessary in any event, since all the W. H. Baker brands of cocoa and chocolate are sold with the full and definite authority of the legal decision in the trade mark suit.

It is a source of much gratification to Mr. W. H. Baker that he has the genuine cooperation of the trade in its efforts to conduct his business on fair lines and always in the legal bounds. He is liberal, always just and is prepared to do business with the absolute conviction to always give dealers a living profit for handling his goods.

W. H. Baker's preparations are the first and only chocolates and cocoas to have the word "Best" printed conspicuously upon the labels; and Mr. Baker is the original manufacturer to put up Premium or unsweetened chocolate in the wax wrapper with a blue label, and the word "Best" printed in red ink across the label.

He asks consumers to avoid all substitutes, and he does not do so by insinuating that he believes the public is sufficiently intelligent to understand what they want.

Six Thirty P. M. Train, of the CHICAGO MILWAUKEE & ST. PAUL RY. Rest service. ELECTRIC LIGHTS. Dining car. City office, 1504 Farnam.

Johnson Bros., hard coal. Hamilton Warren, M. D., eclectic and magnetic physician; special attention to diseases of women and children and all obscure and long-standing diseases. 119 N. 16th st., R. 2.

INJUNCTION FAVORS THE BOYD.

"Darkest Russia" Has Its Engagement Before Judge Keyser.

For the past week theater goers have noticed that a traveling company was billed to present the drama, "In Darkest Russia," at both the local playhouses during the first four nights of the coming week, commencing this evening. As it was manifestly impossible for the company to appear at both houses at the same time, the manager of the Boyd theater went into court Friday afternoon and applied to Judge Keyser for an injunction restraining the company from playing at the Creighton.

It was argued that a contract for the dates named in the advertisements had been made with the manager of the Boyd before the house changed hands, and that communications received since the change of management showed that the contract was considered good by the manager of the company. It was subsequently a contract had been made with the Creighton management covering the same dates, and the company had been quoted to appear at that house. The court was asked to make an order prohibiting the company from appearing at the Creighton.

The defendants in the action alleged that the contract with the Boyd manager had been canceled immediately after the house changed hands, and that the company was free to make a contract with the Creighton or any other theater.

Judge Keyser took the case under advisement and rendered his decision yesterday morning. In passing upon the case the court said that a contract for a performance on Sunday was not a legal contract and that the contract had not been made with the Boyd theater for Monday, Tuesday and Wednesday of next week and that the contract had not been canceled.

The court granted the application for an injunction so far as these nights were concerned, and an order was issued restraining the company from playing at the Creighton Monday, Tuesday and Wednesday nights. This leaves the company free as far as Sunday night is concerned.

ELKS ENJOY A SOCIAL EVENING.

Music and Recitations Fill up an Interesting Program.

The Omaha Elks held a stag social last night in their rooms in the Ware block. Dr. E. W. Lee was chairman and M. P. O'Brien and A. H. Briggs guardians of the peace.

Joe Barton sang a new version of the opening ode, words by Dr. Lee, music by E. J. Kelly, which was followed by the Elks quartet, Messrs. Van Kuren, McCune, Barker and Kelly, who sang Dudley Buck's "In Arcton." Messrs. Higgins and Kelly gave an original sketch, entitled "The South Omaha Guards on Paris Parade," and for an encore "The Stock Yards Waltz." C. H. Howard told some stories of the Crimean war, W. H. McCune sang "Promie Me," as only he can sing it, and W. A. Wallace sang "Hearts Bowed Down" very acceptably.

Chief Leavelle started to tell a story, but did not know about politics. T. J. Kelly sang a parody on "Tale of Woe," and Frank Lee read short Bill Carleton's "Negro Funeral."

BUFFALO BILL IN POLICE COURT.

Arrested for Giving His Show Without a Proper License.

ST. JOSEPH, Oct. 17.—Buffalo Bill was arrested in this city last night, charged with giving his Wild West show without a police license. When the case was called in police court today, the developed that the show had a license for a show, for which it had paid \$20, whereas the license for a circus and equestrian exhibition costs \$250. Mr. Coffey claims that his show is not a circus, and a continuance of the case was granted to allow him to engage counsel. He says he will have his show in this city in the fall before he will pay license for a circus exhibition.

Officer Carlson Injured.

Officer Carlson was quite seriously injured last evening while on his way to the police station. In attacking from a car the bust of a girl in jaunty bonnet drinking from a cup of cocoa, holding the cup in her left hand and the saucer in the right. The portrait is oval-shaped and the name 'W. H. Baker's' appears at the top with the word 'cocoa' at the bottom, the background generally being a rich brown, while the immediate background of the portrait is a light blue. The lettering is in white, and the words "Trade Mark" appear at the bottom on a margin of yellow, in brown lettering.

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ORCHARD & WILHELM'S SALE

Extreme Low Prices on All the Furniture, Carpets and Draperies.

UNCOVERED SOFA PILLOWS 36C EACH

The Most for Your Money—The Best for Your Money—Are the Drawings—The Great Pre-Election Sale.

Thousands of dollars' worth of the choicest to be had in carpets, curtains and furniture, selling at extremely low prices. No one doubts that what we are selling goes cheap. Our enormous stock at such prices was never being quoted in the best evidence of that. Here are a few more things you want:

All short ends of drapery goods and furniture coverings—and there are many from pieces cut during the sale—on tables on second floor, at short end prices that you won't want to miss. Pieces up to three yards.

Sofa pillows, not covered, enough for Monday, at 36c. Also, 100 yards of the best Rattan CARRIAGES—Fine rattan baby, full roll edge, adjustable parasol, upholstered in marbled silk plush, \$3.18.

Rattan fancy baby carriages, with satin and lace parasol, \$8.95.

Elegant white enamel carriage, with all lace, lined, upholstered, with satin, damask has rubber tires, wheel guards, patent brake; fit for the baby of any American princess, \$24.40.

Ladies' writing desks, curlew, birch, beautifully inlaid marquetry work, former price \$18.00, now \$12.00.

\$37.00 solid mahogany parlor cabinet, new shape, \$21.00.

Combination book case and writing desk, oak, French plate mirror, \$11.50.

\$15.00 beautiful inlaid solid mahogany library table, \$8.00.

\$7.00 solid mahogany, brass trimmed, parlor table, \$3.50.

\$2.25 solid redwood tea table, \$3.75.

\$2.00 folding table covered in stenciled burlesque, very new, \$2.90.

Oak frame fire screens, 52c.

Couches, easy chairs, bed lounges, bed room sofas, springs, mattresses, all at the lowest ebb.

ORCHARD & WILHELM CARPET CO.,
1414-1416-1418 Douglas street.

REAL ESTATE IS LOOKING UP.

Dealers Report Considerable Inquiry for Residential Property.

"While there have not been many deals made the past week, there is no question that there is a steadily increasing inquiry for property," said a leading dealer. "It is easier to persuade customers to 'take hold' of a good thing than to sell it. Agents are in better spirits, and altogether the dawning of a better day in the real estate business seems at hand."

"This is particularly noticeable in the Real Estate exchange meetings, which are better attended and the enthusiastic reception accorded the proposition to hold a state-wide meeting, and a loan of money committee, consisting of one from each of the twelve leading cities of the state. This committee will arrange the program, time and place of the meeting and other details. It is believed that the fraternity throughout the state will heartily approve of and generally attend the meeting, and we are generally of the opinion that more abundant crops than those of this season."

"Seeing is believing, and all home seekers who have tired of paying rent or wish to look after their own affairs, and to have a state where climate is all that can be asked, should seek Nebraska's soil and crop."

Nebraska's All Rights!

The above is the farmer's note. Oats! Oats! Oats! Corn! Corn! Corn! Sugar beets, chives, and vegetables of all kinds. Never did land produce more abundant crops than those of this season.

More Trains Are in Service

Don't Forget It.

Missouri Pacific Railway.

Assaulted a Prominent Citizen.

Forecast of Today's Weather.

Office of the Weather Bureau.

THE CUBBY SOAP CO.

Opening of a New South Omaha Industry—The Cubby Soap Company.

In the rear of the Cudahy Packing company's business offices there has been erected an eight-story building, 120x48 feet, with an addition 56x48 feet and two stories in height, for the use of the new Soap Company, one of the auxiliaries of the extensive Cudahy plant.

The Cudahy buildings are constructed of brick in the most substantial manner and contain all of the up-to-date appliances and labor-saving machinery that is to be found in the most modern works of the kind. This factory at the present time is about 250,000 pounds per week, though it is fitted up to handle double that amount if necessary.

Electric lights have been placed all through the buildings and on the sixth floor a complete laboratory has been erected up. There are set in and in active use six large soap kettles with a capacity of over 200,000 pounds each. For the operation of these kettles the most convenient mechanical appliance that pertains to perfection and economy of product has been provided.

The steam power is furnished by two boilers that supply an eighty-horse power Corlies engine. The main elevator has a capacity of 200,000 pounds and the weighing tank will hold 70,000 pounds. As a matter of fact, everything that has been invented in the art of soap-making is in place and ready to be utilized.

The amount of stock in store necessary to work the plant to its fullest capacity exceeds at least a million pounds of soap. The weight of the soap is expected to reach 100,000,000 pounds a year. The plant is now in operation and the first soap is being manufactured.

Another excellent grade of soap, but not up to economic standard of Diamond C, is the Cudahy Domestic soap. Still another grade is their White Ash, a float, which is used in the toilet and bath. All of these brands will be put up with handsome lithographed labels, all doubly wrapped and some in addition being wrapped in tin foil.

Some brands will be packed in single casks, also in cartons as well; then there will be twin bars, and, in fact, every conceivable shape that the market demands. Taking every advantage the Cudahy plant has earned by its output in other lines, this soap will be a credit to the house and maintain the high reputation of the Cudahy plant.

Across the tracks a building 102x35, two stories high, will be devoted to the manufacture of soap and the various accessories of the manufacture of soap and is commonly allowed to go to waste. Modern methods have been adopted for the saving of this glycerine, but it is proposed to manufacture only crude glycerine that will be sold to the manufacturers of dynamite or conversion of fat into soap.

About fifty men will be employed in the soap factory and ten traveling representatives. This is in connection with the marketing of the product. There will be a large distribution of money for advertising in various forms, part of which has already been placed under an executive printer and lithographer.

Comfort to California.

The rough night sleepers which leave Omaha every Thursday morning via the Burlington route, for San Francisco and Los Angeles, are neither as expensive nor as comfortable as the Pullman sleepers.

More Trains Are in Service

Chicago and Northwestern.

THB OVERLAND LIMITED AND OMAHA-CHICAGO SPECIAL DEPART.

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Chicago and Northwestern.

TEACHERS MEET AND ORGANIZE.

Comprises Douglas, Sarpy, Cass, Washington and Burt Counties.

The Eastern district of the Nebraska Association of Teachers was organized in Superior, Neb., last evening. The following committee were appointed: Committee on arrangement, W. B. Backus, E. J. Bodwell and S. H. Thompson; committee on program J. A. Cummins, Waterloo; Mrs. L. M. Guthrie, Bellevue; and W. B. Backus, Florence.

The committee on program met immediately after the adjournment of the regular meeting, and determined to call a meeting of the association in Omaha the Friday and Saturday following Thanksgiving. This district comprises the counties of Douglas, Sarpy, Cass, Washington and Burt.

FRIDAY, NOVEMBER 27-2 P. M.

Music
Welcome Address—Missor W. J. Broch Response—President, G. W. Fox
Discussion—S. H. Thompson, C. F. Secord
Paper—Our Boys, I. M. Guthrie
Music—L. M. Guthrie
Luncheon—Missor W. J. Broch
Address—Missor W. J. Broch
Literature in the Schools—Mrs. Keyser
Questions from the teachers
Child Study—Mrs. Grace E. Sudbr-
om
Pedagogy—Missor W. J. Broch
Business meeting and election of officers.
1:30 P. M.

Hall's Hair Renewer enjoys the confidence and patronage of people all over the civilized world, who use it to restore and keep the hair a natural color.

SOLD BY
GOLDEN—St. John Joseph, aged 64 years, 10 months, 10 days, October 18, 1896. Funeral services at residence, 209 N. 17th st., on Saturday, October 18, 1896, at 2 o'clock. Friends invited. Interment, Forest Lawn.

MRS. J. BENSON.



KID GLOVES

Our full line of FALL KID GLOVES ARE IN
Including the celebrated makes,
REYNIER, PERRIN, MAGGIONA and EX-PREMIER.
You know how hard it is to get a good wearing undressed kid glove. We have the best undressed kid glove, made in Mousquetaire and bat'n.

THE WHIST SEASON

in now on, and the fair ladies have already planned their coming "Whist Parties" with their many attendant et ceteras. Their first thought is of "the prizes" and the first place sought out for the prospective purchase should be this store—nowhere else can you find such a variety of exclusively pretty bits to select from. No matter what your range of ideas, you can satisfy them here. It's a pleasure to us to have you come and look.

Hardy's 1319 Farnam Street.

The 99-Cent Store.

The Ten Day Special Sale of Furniture.

Among the notable Bargains in our Special Sale are these. There are over a thousand others.

Table with 3 columns: Item, Marked Price, For 10 Days.

Item	Marked Price	For 10 Days
Mahogany China Case	\$75.00	\$39.00
Flemish Oak Chair	22.00	8.00
Oak Hall Rack	35.00	15.00
Oak Hall Rack	150.00	67.00
Turkish Leather Rocker	45.00	20.00
Oak Bedroom Suit	32.00	10.00
White Enamel Bureau	15.00	8.00
Brass Bed, very fine	100.00	49.00
White Enamel Bed, very fine	35.00	12.00
Mahogany Suit	100.00	47.00
Parlor Cabinet, Inlaid	75.00	23.00
Reclining Couch	40.00	15.00
Velour Couch	20.00	11.00
Dining Tab'e, Oak	25.00	11.00
Leather Couch	28.00	14.00
Folding Bed	110.00	53.00
Oak Sideboard	65.00	37.00
Mahogany Sideboard	65.00	25.00
Oak Sideboard	28.00	12.00
Oak Rocker	2.50	1.00

Chas. Shiverick & Co., 12th and Douglas.

JAMES HOAG GOES UP FOR ONE YEAR

Case Against the Wife is Ordered Dismissed.

James and Mary Hoag were arraigned before Judge Baker yesterday morning on the charge of forgery. August 7 of this year, Hoag and his wife rented a house of a local agent, agreeing to pay \$12 per month for it. In payment of the first month's rent Hoag tendered a check for \$20, drawn on the First National bank and signed "C. W. Sweet." The check was taken and the change given to Hoag. It was soon afterward discovered that the check was a forgery and Hoag and his wife were arrested. They were bound over to the district court, and both have been in jail since that time. When they were arraigned yesterday morning, Hoag admitted his guilt, saying that he was intoxicated at the time and did not realize what he was doing. The woman entered a plea of not guilty. Judge Baker passed sentence on Hoag at once, giving him one year in the penitentiary, to commence yesterday. The case against the woman was dismissed and she was released.

Don't be Fooled.

By those who insist on going to a certain drug store with your prescriptions. The more business the more it ought to pay attention to you. It is getting his office just past a commission from these 24 part. These "doctors" are not satisfied with their fee, but demand a percentage from the druggist. Bring your prescriptions in and save the commission paid these "doctors" by the druggist.

CHAS. H. SCHAEFER, CUT PRICE DRUGGIST, 16th and Chicago Streets, OMAHA.

HAYDEN BROTHERS.

SHOE SALE Monday. MAIL ORDERS FILLED. We save you money on shoes in our big Shoe Department. Ladies' Warm House Slippers, 47c. Ladies' fine Kid Shoes, \$1.45, \$1.98 and \$2.50. Misses' fine School Shoes, \$1.00 and \$1.25. Children's fine Shoes, 65c, 85c and \$1.00. Men's fine Shoes, \$1.25, \$1.50 and \$2.00. Boys' fine School Shoes, \$1.00 and \$1.25. Infants' Shoes, 25c. Overgaiters, 25c.

LONGE GROCERY CO., HEADQUARTERS FOR All German and French Delicatessen.

Genuine Swiss Cheese, Camembert, Roquefort and Neuchâtel. A full line of Swedish Cheese, Fole Gros, Truffles, Liver Sausage, Frankfurter Bratwurst, Pate de Fole Gros Truffes, Truffles Broches (truffles), Appetit Stid, Martinet Sardines, Martinet Herring, Kielar Spratzen and Sardines of all kinds. Weibshand Preserves, German Pressedheren, fancy Maudelburger Sauer Kraut, Dill Pickles.

KRUG'S CELEBRATED Cabinet Beer

This Beer is made especially to drive the blues away. No household is complete without a case. It is made by an Omaha firm—for Omaha people—and is recommended by physicians for its Strengthening, Nourishing and Healthgiving Qualities.

PEERLESS STEAM COOKER

Marion Heald recommended it. So does Ex-President Harrison's daughter. Sold by GEO. W. KING, 2189 Grand St., Telephone 840. General Agent

Chas. Kaufmann, 1320 Douglas Street, Omaha, Neb.

"A STITCH IN TIME, etc. As soon as you know your tooth is sore, call on Dr. Bailey, 12th and Douglas. Special attention given to filling teeth.

THIRD FLOOR PAXTON BLOCK