DECISION IN FAVOR OF CITY

Supreme Court Has Decided the Famous Elkins Case.

WILL SETTLE MANY OTHERS

Involving About $3,500 Claimed as Wages.

City Attorney Helm has received notice from the clerk of the state supreme court that the case of Ed. Elkins had been decided by that body in favor of the city.

Several years ago, when the eight-hour law went into effect, Ed. Elkins and a number of others were employed by the city and worked ten hours per day. When the eight-hour law went into effect the men did not make the change and for nearly two years they continued to work ten hours per day and draw their pay for the same as before. Then there came a change in the administration and Elkins and a number of other men were discharged. They immediately brought suit before Judge Tucker in a justice court to compel the city to pay them for the two extra hours on each day that they had worked for nearly two years. Judge Tucker rendered his decision in favor of the men and the case was appealed to the district court.

There were about twelve of these cases appealed to the district court and the total amount involved in all was nearly $3,500. The cases laid in the docket of the district court for several years and a little over a year ago Judge Dale took them up. It was agreed among the men and the city attorney that the Elkins case should be brought up first.

When the arguments of both sides were submitted Judge Dale rendered his decision in favor of the city and reversing the decision of the justice court.

An agreement was made by the attorneys of both sides that the Elkins case should be appealed to the supreme court as a test case and that the other cases should be decided by the decision of the supreme judges in the Elkins matter.

The notice received by the city attorney stated that the decision of the lower court was affirmed, and this means a victory for the city.

On what grounds the decision was made is unknown at present and the copy of the opinion has not reached this city. The attorneys are of the opinion that it was decided on the points of law that it was unlawful for any employee of the city to work more than eight hours and that nothing could be recovered from any unlawful work. The men were wrong in working more than eight hours and the supreme court probably held that their own wrong could not be made a basis for the recovery of money from the city as there is a precedent in law that a court can deny the right to recover money when it was an unlawful act to work more than eight hours per day.

This is the last case before the supreme court in which the city is a party. During the past few months there have been a number of important decisions handed down from that tribunal that were of great importance to this city. This decision means that about $3,500 will be paid out of the treasury and will also establish a precedent in a number of other cases from other towns.

STRIKE IS NOT SETTLED

Few Contractors Still Refuse to Pay Union Scale.

Ten days have passed since the carpenters went on a strike and still a number of contractors have not recognized the union and refuse to pay the union scale of wages. When the men walked out the first of the month the union officers made a declaration that all the contractors would come to their demands and pay the union scale of $2.50 for eight hours' work. Most of the contractors complied with the demand and the greater number of men went to work, but there are about twenty men who belong to the union who are idle. The strikers seem to have the best of the bargain at present, as they have partially tied up the operations of the contractors who have not come to their price. As far as known there has been no effort to import men by the fighting contractors and all the time the carpenters are gaining strength by the addition of new members. At the present time they have about 100 of the 200 carpenters in the city and a considerable number who have not joined have signified their intention of becoming members of the union.

SOME MORE SMALLPOX

Woman Got Off Rock Island Train With the Disease.

When the Rock Island train from the south came in yesterday morning it brought with it a woman who got off here because she was sick. She went to a doctor and there learned that she had smallpox, and in a very severe form. She was sent to the pest house. Yesterday the city physician was called to the residence of Kitty Hiller, at 20 Tremont street, and there found another severe case of smallpox, and the six occupants of the house were immediately removed to the pest house and detention hospital.

Through the efforts of the police and health officers it was thought that smallpox had been stamped out in this city, and it was as far as the citizens of Wichita are concerned, but a week or ten days ago a mail clerk came in with a case and now another woman has brought it in and the pest house has several occupants and the detention hospital has quite a crowd within its walls. The city and county authorities have tried to stop people coming here when they knew they had been exposed to the dreadful disease, and the railroad companies have also issued orders about allowing people on the trains, but through some manner other cities seem to get their smallpox patients onto the trains and by the time they reach here the patient is so sick that he has to stop for a doctor.

Hood's Pills

Are prepared from Nature's mild laxatives, and while gentle are reliable and efficient. They

Rouse the Liver

Cure Sick Headache, Biliousness, Sour Stomach, and Constipation. Sold everywhere, 25c. per box.

Prepared by C.I. Hood & Co., Lowell, Mass.

SEND IN YOUR NAME

Report to City Directory If You Have Changed Your Address.

The new City Directory for 1902 is nearly completed and will be in the hands of the binder in a few days. The publisher has taken every precaution to make this work as nearly correct as possible. The public will understand that this is a work which has necessarily required some time to complete, as the book will contain something over 500 pages, and, while it has been pushed with all possible speed since the last of the enumeration, which was finished the latter part of February, we realize that there must have been more or less changing of addresses since that time; and to help make this work more perfect it will be considered a favor by the public and the publisher if any parties will report such changes of address at the office of the City Directory, over 113 East Douglas, by Friday of this week, that the same may be printed in the addenda.

WAS ACQUITTED IN WICHITA

James Scanlan Is Arrested in Colorado for Bank Robbery.

Sheriff Simmons received word yesterday from Pueblo, Colo., of the arrest of James Scanlan on a charge of bank robbery at Fowler, Colo. He, with three other companions was captured Monday morning at 2 o'clock by the Pueblo police. Another one of the four gave his name as J. P. Hannegan. The letter was from the chief of police and asked for information concerning Scanlan.

One year ago this same James Scanlan was an inmate of the Sedgwick county jail. With three other men he was held on a charge of robbing the bank at Clearwater. They all had their trials and all but Scanlan went to the penitentiary. The latter's case was dismissed and now again he is behind the bars on a like charge.

GREATEST LADY VIOLINIST

Miss Leonora Jackson Captured the Audience by Her Beautiful Music.

Wichita has been visited by many violin players, but last night the greatest violinist that ever played before a Wichita audience appeared at the Toler Auditorium as the closing number of the Wichita Lyceum course.

The attraction was Miss Leonora Jackson, the violin virtuoso, who has astonished the musical world by the sweetness and beauty of her music. Of all the famous violinists that have entertained the music-loving people of this city, Miss Jackson stands as the one who represents the highest type of musical genius. She has had many triumphs and her audience last night was no exception to the rule, as the moment the music began to flow from that violin in the hands of a most gifted artist, the people were held in breathless attention while she calmly executed extremely difficult compositions and brought forth melody that can only come from a natural musician.

A girl hardly out of her teens, yet possessed of an ability that has stood the test of the elite of musical connoisseurs the world over. She has appeared with European organizations where there has not appeared another American soloist.

Her interpretation of the most difficult music was a surprise to Wichita people. The "Adiegro Marziale" from Vieuxtemps "Concerto No. 4 D Minor" was a wonderful production by the hands of one whose musical talent comes by nature. Never before has a violinist played with more effectiveness than Miss Jackson did in this number.

From a group of four numbers, "The Swan" song, by St. Saens, was played with remarkable beauty. The music of this piece made a great impression with the hearers and caused wonder among the audience that such sweet tones could be produced.

Leonora Jackson was born at Boston, but had her early musical education at Chicago. She studied two years at Paris, four in Berlin under Joachim. Her debut with the Philharmonic orchestra was a sensational success, which brought her a royal command to appear before the empress. Important engagements followed and her fame spread rapidly throughout Europe. The Prussian government later awarded her the Mendelssohn prize in Germany. Her London debut, February 6, 1899, at a Queen's Hall Symphony concert, created another sensation, and it brought her at once into prominence in England. She was, for example, the soloist of the London Philharmonic, the the Colonne concerts at Paris, in Leipsic Gewandhaus, the three oldest and most distinguished symphony orchestras in Europe, where no American violinist had ever before been engaged. At Paris Paderewski was the soloist of the preceding concert of the series. Miss Jackson has been on programs with Melba, Patti, Paderewski and the most famous artists. Queen Victoria decorated her with the Victoria star at Windsor; the German emperor, King Oscar of Sweden and Norway, and other crowned heads have also bestowed royal favors.

The gifted artist has made four extensive tours in Germany, three in England and Scotland, one in France, Switzerland and Belgium, and two in America. Her first American tour, in the spring of 1900, comprised sixty concerts, eight of them with the Boston Symphony orchestra, under Herr Gericke, she being the first American violinist to be honored with such an engagement. Today this American girl enjoys the distinction of having achieved the most remarkable career that the history of music affords for an artist of her youth and sex. Her success has been well deserved, phenomenal, one in which all Americans may take just pride.

Harry J. Pelham, the tenor soloist of the company, has a very pleasant voice and his selections were very well received.

William Bauer, the pianist, is a pretty good man at the instrument, but the instrument he used last night was not of the best and during his productions the bass were rather noisy and his music could not be fully appreciated.

SEALING SIX PERSONS' FATES

Three Marriage Licenses are Issued to Wichita People.

Probate Judge Wilson yesterday issued more wedding licenses than he has done for a month. There were three. All the parties concerned but one are Wichita people. Whether the warm, healthful weather of yesterday had anything to do in breaking the ice in this matter of matrimony, it is hard to tell. Only one couple was married by the probate judge. These parties were J. D. Valentine, 45 years old, of Cool, O., and Miss Lizzie Tuttle, 24 years old, of this city. The other persons who took out licenses were: Wm. A. Hickman, 29 years old and Miss Mary Sexton, 26 years old, both of Wichita; Joseph H. West, 29 years old, and Miss Lettie Sheffield, 21 years old, both of Wichita.

Because of the Scottish Rite reunion now in progress in this city and the heavy commercial travel, the hotels were full last night and almost all of the places it was impossible for guests to obtain private rooms. The Tuller Hotel has been noted as being one of the best hotels in the state, and the fact that it was crowded is every indication that it will continue so.

CONTEST IS ON AT COLWICH

Methodist Preacher Consults Wichita Lawyer About

LEGALITY OF ELECTION

Says "Dry" Candidates Have Not Compromised.

The newly elected officers of Colwich, it appears, will have to fight for their seats, because of the queer contest that has arisen in that city over the legality of the election. The adherents of the "dry" candidates deny that their standard bearers have agreed to a compromise, to allow the joints to run until 10 o'clock at night and to close them on Sundays. They say that if their men were not legally elected, they are willing to test their strength at another election.

Rev. J. H. Pracht, pastor of the Methodist church at that town, and one of the leaders on the "dry" side, came to Wichita yesterday and consulted I. P. Campbell about the case. Mr. Campbell accompanied Rev. Mr. Pracht to Colwich last night.

To a reporter for the Eagle Rev. Mr. Pracht said:

"None of the ballots cast had the names of the candidates printed thereon, and now the adherents of the "wet" ticket tell us that the election was illegal. If they had won, the election would have been legal enough.

"A caucus was called several weeks ago and several of the prohibitionists attended it; that is, they waited around about an hour, but no caucus was held.

"A day or two before the election some men came to me and said they had agreed on the persons they would support for the city offices, as they wanted the three joints in the town to be closed. No nominations were made formally, but the word was passed around among our followers whom they should support. The adherents of the other side did not announce any candidates publicly, but on election day they wrote the names of the men they had agreed to support, most of whom werre already in office.

"It is true that all the voters wrote the names of their favorite candidates on the ballots, which were but pieces of paper with the names of the offices to be filled and a place to mark the crosses. It is not true that none of the voters placed a cross opposite the names of the candidates. Some did not, but those ballots were throwe out.

"When the votes were counted it was found that Charles Zim, the 'dry' candidate, had been elected by thirteen majority and that the remainder of the ticket had also been elected.

"Yesterday our opponents were willing that our men should take the offices. Wednesday morning, however, William Regan, who had been elected to the council on our ticket, told me that the other side claimed the election was illegal. I went down town and found a good deal of excitement. I determined to investigate the matter and so I came to Wichita to hunt a lawyer.

"The statement that our candidates had agreed to a compromise on the condition that they be allowed to take office is false, so far as I know. Not a word to that effect have I heard. If the election was illegal, we are willing to try again, but we propose to find out for ourselves whether it is illegal or not."

WANTS KANSAS JACK-RABBITS

Ohio Zoological Garden Asks for Some Specimens.

Chief of Police Frank Burt received a letter yesterday from the officials of the Sandusky, Ohio, zoological gardens asking him to procure some one who would furnish them with some good specimens of the Kansas jack rabbit. The market price of a Kansas jack rabbit alive is $2 a head. Dead, it is rather a hard job to dispose of them at 10 cents a carcass. The rabbit is rather hard to capture when full grown and when captured young it is as much as they are worth to raise them, for they are an animal hard to keep while young. Hundreds of the rabbits hop over the Kansas prairies, but each one is worth $2 a head in the east, as a curiosity.

A LIGHT IN THE WINDOW.

The British Medical Institute, Located at 210 East Douglas Avenue, Winne Building, Will Give Free Services for Three Months to All Invalids Who Call Before May 20th.

Fast living, yielding to the despotic demands of modern society and close application to hard mental and manual labor, are several causes which are wrecking the constitutions of thousands of Americans every year.

Eighty per cent of those afflicted are enduring the pangs of mental misery which unfit them for the duties of life. These people are disponded, dejected, discouraged, troubled with insomnia, shun society, distrust old friends, abhor new ones; with them the vigor of life is a thing of the past; many of them have paid large sums of money in vain for a cure. The British Medical Institute has a light in the window for all such invalids. During the past five years it has treated and cured 7,856 cases, and eighty-five per cent of them were cases of this kind. It guarantees a complete cure in every case it undertakes; it is incorporated under the laws of the state of Michigan, with a paid up capital of $50,000; therefore, its guarantee is good.

It treats and cures male and female weakness, catarrh and catarrhal deafness, also varicocele, rupture, piles, cancer, and all diseases of the rectum.

At its Wichita branch, located at 210 E. Douglas avenue, Winne Building, it has given free services to all invalids who called during the past eight months, and it will continue giving free services for three months longer (medicines excepted), to all who call before May 20th.

The chief associate surgeon of the Institute is in personal charge of the Wichita office.

Office hours, 9 to 8; Sundays, 10 to 1.

TALK NO. 123

DISEASES

There are, of course, a good many diseases of the eye which may come to any person at any time. There are others which are due solely to strain and over-work. I believe that catarrhal cases caused, in nine cases out of ten, by the foolish practice of doing without glasses as long as the eyes can be forced to do work without them. Styes are almost invariably caused by a defect in the focus of the eyes, and can be cured with glasses. Irritation and inflammation of the eyes and lids are caused by strain. Twitching and jerking of the lids are often caused by far sight. Near sight and astigmatism will bring on floating specks before the eyes. Sixty per cent of chronic and sick headaches are due to eyestrain. If every one who finds that their eyes trouble them in any way would have the defect looked after at once, many serious diseases could be averted.

W. W. Pearce

Jeweler and Scientific Optician,
128 N. Main, Wichita, Kan.

The Weather Today: Generally Fair.

It's Not a Charm

And yet there's a good deal in a name sometimes—H. & H. for instance.

You know the minute you see our label on a Suit you just feel that it's better than the average run of Clothing. Now, don't you?

If you want to hunt out the weak points in a Suit, you'll notice the "little things" in its make-up. Every stitch will tell you a "story."

The time and care and skill that's essential to high-class workmanship is evident in every part of the make-up of our Clothing.

And you know that when you come to this store for a Suit you are as certain of a neat fit as you would be at the hands of the best merchant tailor.

Herman & Hess

No Clothing Fits Like Ours.

TRADE AT FULTON'S—IT PAYS.

Nobby Spring Suits

The finest line of real swell Business and Dress Suits for particular men you'll see. Every new style, exclusive weaves and patterns; made up in correct styles, too. The only difference between ours and the merchant tailors' is the price.

Come in and examine our line priced at

$10, $12, $15, $20

HATS—We've the finest gathering of new Hats in town; all the latest shapes, shades, and at all prices.

C. R. FULTON

WICHITA'S GREATEST CLOTHING STORE.

Consciousness

Of being well dressed belongs to every man who wears our $3.50 Shoes.

Jones and Titus

WICHITA, KANSAS.

150 NORTH MAIN STREET.

Friday And Saturday

We have just received a second shipment of Boys' and Children's Suits, some in double-breasted, some in Norfolks and some in three-piece. They're strictly all-wool and worth double the money. We will sell them Friday and Saturday

At $2.50

Men's And Boys' Night Robes

Will be on sale Friday and Saturday.

The dollar and a half kind, 90c.
The dollar kind, 65c.
The seventy-five cents kind, 43c.
Boys' fifty cents kind, 25c.
Today we will sell Boy's Brownie Overalls, ages 4 to 10 years, at two pairs for..... 25c
Only two pairs to a customer.

GOLDEN EAGLE

WICHITA'S GREATEST MONEY-SAVING CLOTHING STORE.

New Shoes Very Cheap

At the Remodeling Sale

We have a large force of workmen busy fixing up our fine large store. Our large spring stock of New and Nobby Shoes has arrived and we have not the shelving ready for its reception; so while this work is going on we will sell many new Shoes at cost of manufacture.

Men's Fine Box and Velour Calf Shoes, $2.50
Men's Calf Dress Shoes, $1.50
Ladies' Imperial Shoes, $2.50
Ladies' Imperial Low Shoes, $1.75

TAN SHOES ARE OUT OF STYLE

So far as color is concerned, but we have them in up-to-date shapes, which we will sell at your own price.

Men's $3.50 Tan Shoes $2.50
Men's $3.00 Tan Shoes 1.50
Ladies' $1.50 Tan Shoes 1.00
Many pairs at 50 and 75 cents.
Ladies' $1.50 Tan Shoes 1.00
Boys' $2.00 Tan Shoes 1.00
Misses' $2.00 Tan Shoes 1.00

Now is the time to buy High Grade Footwear very cheap, as this sale will only last while this remodeling is going on. Our store is chock full of bargains in New Spring Shoes. We strike terror to all competition. This is the greatest opportunity you will have to secure your season's Footwear. Money refunded on any sale.

EARP'S

WICHITA-KANSAS

Phone 686-4 126 North Main

Black and Whites

Are the Popular Suits This Spring

We have a nice showing of them in all the up-to-date styles and patterns—fashionably tailored. Come in and see the nicest line of up-to-date Suits, Hats and Smart Furnishing Goods in the city.

Priced reasonably.

Greenfield Bro's

WICHITA, KAS.

Same Price to Everybody. 112 East Douglas Avenue.

117 117

If You Need a Spring Medicine

Try our

117 Sarsaparilla

We can tell you every ingredient in it and explain its action.

W. J. FRAZIER, Pharmacist
117 East Douglas.
Phone 384

117 117

R. H. JOHNSON, Notary Public. B. F. NICHOLS.

JOHNSON & NICHOLS

Real Estate and Loans

Ranches, Farms and City Property for sale at lowest prices. List your property with us. Rooms 7 and 8, over 112 East Douglas avenue.
Correspondence solicited.

Daily Eagle, Delivered, 10c Per Week.

115 115

Our Closing Out Clothing Sale is now on and the bargains we are giving will soon put us out of the clothing business. We need the room for other lines, and when the present stock is sold we will not handle clothing any more. Come and get a bargain.

115 **W. H. FISHER DRY GOODS CO.** 115
115 East Douglas Avenue

At **Fuller's**

Pure Maple Sugar

This year's crop from the Sugar Camps of Ohio

Per Pound, 15 Cents.

C. I. FULLER

PURE FOOD GROCER.
232 E. Douglas. Phone 355.

TAKE THE FRISCO LINE

afternoon train to St. Louis and all points east. Train leaves Union station at 1:20 p. m.

S&M S&M S&M

10 BIG ONES FOR 10

At The S&M 5 and 10 Cent Store

5c Rose Bushes (two years old), American Beauty, the Maid and the Bride, each 10c
Fancy Cuspidors and Jardinieres, each 10c
25c Hand Painted Flower Vases, each 10c
A Ground Steel Bread Knife 10c
Decorated Japanese Afternoon Coffees, each 10c
Super Shampoo Tar Soap, bar ..... 10c (Claimed to be as good as Packer's Tar.)
Gray Enamed Drinking Cups, each 10c
9-Inch Gray Enamed Pie Plates, each 10c
100-Foot Cotton Braided Clothes Line 10c
A Solid Back 12-inch Scrub Brush 10c

New McKinley Music Catalogue Free. McCall Fashion Sheets for May Issue.

S&M **SCHMITT AND MARTIN'S** S&M
5 AND 10 CENT STORE
207-209 E. DOUGLAS AVE. WICHITA, KAS.

Sickly People

who have no appetite, and always feel tired, irritable and nervous, need a few doses of

Hostetter's Stomach Bitters

It will tone up the stomach, strengthen and invigorate the liver and kidneys, and induce sound sleep. When taken faithfully, it will cure

Dyspepsia, Indigestion, Constipation, Biliousness, and Flatulency. Don't fail to try it.

The genuine must have Our Private Die Stamp over the neck of the bottle.