

Accept None of the Pretended Substitutes

FOR ROYAL Baking Powder

BECAUSE inferior and cheaper made baking preparations are sold at wholesale at a price so much lower than ROYAL, some grocers are urging consumers to buy them in place of the ROYAL at the same retail price.

If you desire to try any of the pretended substitutes for ROYAL BAKING POWDER bear in mind that they are all made from cheaper and inferior ingredients, and are not so great in leavening strength nor of equal money value. Pay the price of the ROYAL BAKING POWDER for the ROYAL only.

It is still more important, however, that ROYAL BAKING POWDER is purer and more wholesome and makes better, finer, and more healthful food than any other baking powder or preparation.

ROYAL BAKING POWDER CO., 106 WALL ST., NEW-YORK.

'T'WAS HIS OWN FAULT

So the Supreme Court Holds in Damage Suit Against a Railroad.

REVERSING LOWER COURT.

Vendor of Commercial Paper Impliedly Guarantees Signatures.

AMENDMENT LAW CONSTRUED

Congressman Kiefer Sued by a Person Hurt on His Sidewalk.

The supreme court handed down eight decisions yesterday, all of which

MICHAUD CHRISTMAS WINES!

Prices for Saturday and Monday.

- GOOD CALIFORNIA CLARET, FINE OLD CALIFORNIA CLARET, FINE OLD BURGUNDY, FINE OLD SWEET CATAWBA, FINE OLD RIESLING, FINE OLD SAUTERNE, FINE OLD MUSCATEL, FINE OLD PORT, EXTRA FINE OLD PORT, VERY SUPERIOR OLD PORT, FINE OLD SHERRY, EXTRA FINE OLD SHERRY, IMPORTED WINES, FINE OLD PORTS and Sherries, FINE OLD BRANDY, FINE OLD WHISKY, FINE OLD GIN, FINE OLD VODKA, FINE OLD COGNAC, FINE OLD RUM, FINE OLD TEQUILA, FINE OLD MEZCAL, FINE OLD LIQUOR.

NOTE. Before purchasing your Christmas supply of Wines and Liquors visit our store, get prices and compare quantities with what you have been using in the past, and we know your order will be placed with us.

MICHAUD BROS. WINE AND LIQUOR MERCHANTS AND LEADING GROCERS, Seventh and Wabasha Streets.

were written by Justice Mitchell. In all of the cases the judgments and orders of the lower courts were affirmed, except the one of Joseph Heinlzer against The Great Northern Railway Company, which is a reversal.

The titles and syllabi of the cases follow:

His Horse Frightened.

Joseph Heinlzer, respondent, vs. The Great Northern Railway Company, appellant. Judgment reversed.

The plaintiff, on horseback, approached within five paces of a grade crossing (not within a city) of a highway and defendant's railroad, when his horse was frightened by the sound of the whistle of an approaching engine, then very near the crossing.

There was no evidence that the engineer saw the plaintiff before he sounded the whistle, or that he sounded it in any unusual or extraordinary manner; nor was there any evidence that he had not sounded it eighty rods from the crossing, and at intervals thereafter, as required by statute. Had plaintiff looked, there was nothing, after he got within a thousand feet of the crossing, to prevent his seeing an approaching train.

He was familiar with the crossing, and knew that the train was about due. He was unacquainted with the habits or disposition of his horse.

Held, that plaintiff could not recover; first, because it did not appear that defendant was guilty of negligence, and second, because he himself was guilty of negligence in not looking for an approaching train in time to stop, not necessary, at a sufficient distance from the crossing to avoid the danger of his horse becoming frightened.

Contract Signature.

Jonas F. Brown, respondent, vs. Eli B. Ames, appellant. Order affirmed.

Syllabus—Action to recover the amount of a promissory note sold by defendant to plaintiff on the ground that one of the signatures on the paper was forged. The defense was that the signature was not forged; second, that in selling the note the defendant acted merely as agent of a disclosed principal.

Held, that there was no evidence that the person whose name was alleged to have been forged ever gave any authority, either apparent or actual, to any other person to sign his name on the note.

Where a person sells commercial paper he impliedly guarantees that the signatures are genuine.

If he is selling it as agent he must, in order to relieve himself from personal liability, disclose not only the fact of his agency, but also the name of his principal; and the person named as principal must be such in fact—that is, one for whom he is authorized to act.

In this case there was no evidence that the defendant was in fact the agent of the alleged principal.

When One May Amend.

Chauncey W. Griggs et al., respondents, vs. Joseph E. Jones et al., appellants. Order affirmed.

Syllabus—Any pleading may be once amended by the party of course, without an action against it already had, at any time before the period for answering it expires. G. S. 1878, ch. 69, sec. 124.

The defendants served their answer by mail, to which the plaintiffs replied and served notice of trial. Subsequently, the plaintiffs served their answer to the original answer, and the defendants served an amended answer, to which the plaintiffs also replied.

Held, that conceding, without deciding, that defendants had the full period of forty days in which to amend their answer, and that they did so, it did not annul plaintiff's previous notice of trial, but that the case stood for trial subject to the power of the court to continue it for cause.

Measure of Damages.

Alfred H. Knowles, appellant, vs. Franklin Steele Jr., respondent. Judgment affirmed.

Syllabus—Where a person contracts to lease to a certain rent and which he does not own, and hence is unable to perform the contract, the measure of the damages is the loss of the bargain; that is, the difference between the rent agreed on and the actual rental value of the premises.

A new trial will not be granted for a failure to assess merely nominal damages where no question of permanent right is involved.

Contingent Repayment.

Missouri, Kansas & Texas Trust Company, appellant, vs. N. M. Lachlan et al., respondents. Judgment affirmed.

Syllabus—The evidence held sufficient to justify a finding that a contract was usurious.

Where there is a loan of money, the mere fact that the contract for its repayment is in form contingent will not exempt the transaction from the taint of usury if the contingency is not real, but colorable, and a mere device to evade the statute.

Fish Law Valid.

State of Minnesota, plaintiff, vs. Joseph Mrozinski et al., defendants. Order affirmed.

Syllabus—Section 15, chapter 124, Laws 1893, prohibiting the taking of fish (with certain specific exceptions) in any other manner than by angling for them with hook and line, is valid.

Matters of Practice.

J. D. Moran Manufacturing Company, appellant, vs. Anna W. Clarke et al., respondents. Order affirmed.

Syllabus—A complaint in an action to enforce a mechanic's lien held insufficient, because it failed to show that the lien statement was filed within the period limited by statute. Held, also, that it stated no cause of

action for personal judgment against the appellant.

Judith M. Lawrence, respondent, vs. Oliver Dalrymple, appellant. Judgment affirmed.

Unless the "case" or bill of exceptions reports to set forth all the evidence taken, questions as to the sufficiency of the evidence to support the verdict will not be considered. State of Minnesota, respondent, vs. Ole Anderson, appellant.

Syllabus—By the court: Appeal dismissed because the point raised and argued are not before us in the return.

The following cases were considered by the supreme court yesterday: Mary Krossen, respondent, vs. Wilhelm Keller, appellant; argued by appellant, submitted by respondent.

Charles D. Wright, assignee of the Page flour mills, insolvent, respondent, vs. George Tilleston, appellant; argued and submitted.

Phoebus Babcock et al., appellants, vs. Martin F. Collins et al., defendants; Minneapolis Improvement Company, respondent; argued and submitted.

State ex rel. Attorney General, respondent, vs. Village of Fridley Park, respondent; order granting respondent thirty days to set aside and do over.

Milton E. Lewis, counsel as attorney and counselor at law.

Grateful, comforting food is that supplied to weary millions by the aid of Dr. Price's baking powder, a household word for 40 years.

HON. A. H. KIEFER SUED.

Various Suits in the District Court.

Abraham Kery has begun an action for \$5,000 damages against Andrew R. Kiefer. Mr. Kery was walking along the sidewalk on Nov. 26, 1891, in front of property owned by Col. Kiefer on Seventh street, and fell into a coal hole.

It is alleged that Col. Kiefer neglected to have the snow cleared off the sidewalk in front of his premises as required by a city ordinance.

William Whalen demands judgment against the "Lafayette Brewing Company" for \$10,000 for injuries sustained while walking in front of his premises as required by a city ordinance.

Elizabeth Tumen has begun an action against Margaret Sheehy and several others to foreclose a mortgage for \$1,000 upon the interest of certain heirs of John W. Sheehy, deceased, to eighty acres of land.

Eliza L. Handy, John B. U. Handy and Llewella E. Turner have given notice to Corneil A. Dudgeon and John W. McKibben that they will ask the district court to set aside and do over a mortgage for \$3,000 upon part of lot 5 of Holcomb's addition to St. Paul, and to quiet title thereto.

The Presbyterian board of relief for disabled ministers and the widows and orphans of deceased ministers has begun an action against Xavier St. Paul and Marie A. St. Pierre, Carrington Phelps and his wife to foreclose a mortgage for \$20,000 upon lots 5, 8 and 9 in block 17 of West St. Paul.

M. L. Cormany has sued D. W. McCourt and Lucy McCourt to recover a balance of \$70 for work done in the maintenance of the university, but this, it is thought, will not be sufficient.

J. S. Whiting asks judgment against the Provident Fund society of New York for \$700 on account of an accident sustained when measuring grain and that was loading on a car at West Court in November, 1892.

Lewis E. Jones has begun an action against Marie W. Anderson to determine the title to real estate and subject it to the payment of a judgment in favor of the plaintiff for \$115.

Judge Egan's court is still engaged in the damage case of John G. Allen against Alexander E. Johnson & Co. Judge Pitts has tried a decision in the case of Harry May Woods against Albert M. Lawton and others, ordering the mortgagee to satisfy a mortgage against the plaintiff for \$2,000 and other debts. The same decision is reached in a second case of Harry May Woods against Albert M. Lawton and others, the mortgage of the plaintiff in this case being \$11,700. Nearly one hundred people and companies have an interest in the two cases. The actions have been pending for many months, and now culminate in an order to sell the real estate by the sheriff.

All Holiday Goods Returnable

At the "Plymouth," as usual, Seventh and Robert.

Carpenters, Attention!

Now is the time for every carpenter in the city to avail himself of the chance to show his good intention to assist in building up the union and attend the meeting next Wednesday evening at 8 o'clock at Labor hall. The initiation fee is \$1.00 and 50 cents for this meeting, to come and bring your friends.

QUEER PEOPLE BOUND.

We can now furnish any part that may be missing in your "Brownie" series. Complete your book and have it bound. See binding offer in large advertisement.

Fan for Trap Shooters.

There will be sport for the trap shooters on Christmas day, beginning at 10 a. m., at the commotionous shooting resort of the St. Paul Gun Club on the state fair grounds. A large attendance is expected from the Twin Cities. The morning events will be especially attractive.

IN ANCESTORS' HONOR.

CONGREGATIONAL CLUB CELEBRATES FOREFATHERS' DAY.

Gov. Nelson and Other Celebrities Present to Aid in the Event.

Park Congregational church last evening was crissed with an exceptionally brilliant audience at the seventeenth anniversary celebration of Forefathers' day by the Minnesota Congregational club. All the leading churches of Congregational faith in the Twin Cities, with their wives, were present, and all share equal praise for the enjoyable and entertaining affair it proved to be as they used their utmost endeavors to make it such.

The speeches, musical programme rendered and the supper were all most highly commendable, and the 200 present will ever remember the celebration of 1894.

The 21st of December is Forefathers' day, but the Minnesota club holds a reception the last Monday of each month, alternating the meetings between St. Paul and Minneapolis. In this connection it must be said that the Minnesota club includes all of the state, excepting the Lake Superior region, which includes Duluth and West Superior. These celebrations are in memory of the Puritans and early Puritan days, and are regularly observed by all the clubs in the United States. Paraded on was a luxury to the Puritans in early days, and last evening the usual custom of

Serving Parched Corn at supper, in memory of the early days and experiences of the Pilgrims, was observed.

Admission to the evening exercises is only obtained by invitation, but the members of the club have the privilege of taking guests to supper.

An elegant supper was served last evening in the church dining rooms, and, although the first tables were ready at 7 o'clock, it was 5:30 before the after-dinner programme commenced in the main room of the church. Rev. Pleasant Hunter, Jr., D. D., of Minneapolis, was the speaker of the evening, and the worthy successor of the famed and noted Rev. Dr. J. Burrell made an instructive and pleasing talk on "A Look Backward and Forward from 1620."

Rev. G. H. Wells, D. D., president of the club, made a few short remarks complimentary to the club and eulogistic of the Pilgrims' history.

The musical programme was ably rendered, being taken part in by such well-known talent as Prof. J. Warren Andrews, organist at Plymouth Congregational church, Minneapolis; Miss Belle Rolston, soprano; Miss Ethel L. Rounds, contralto; J. F. Merrill, tenor, and Charles E. Law, bass.

During the rendition of the musical programme Granville B. Putnam's beautiful hymn of "The Puritan" was sung by the audience.

Gov. Nelson, Hon. William Mitchell, member of the supreme court of Minnesota, and Judge Sanborn, of the United States circuit court, were scheduled to make addresses, but were unable to be present.

Are you thinking of changing baking powders? One that requires the least in quantity of any made to do superior work is Dr. Price's purest and best.

UNIVERSITY NEEDS.

President Northrop Reports to the Regents.

The Regents Continue Their Session Today—Important Business.

The annual meeting of the board of regents of the state university was held yesterday at the state capitol and will continue today. There were present ex-Gov. Pillsbury, president; President Northrop, of the state university; Col. Liggett, Gov. Nelson, Judge Clark, Supt. Pendergast, Joe P. Heatwole, S. M. O'Rourke, and others.

The president's annual report was presented and referred to a committee. In his report President Northrop spoke of the great need of new buildings. One of the buildings needed is a new gymnasium and drill hall, which will cost about \$100,000. The need for such a building is also in need of a laboratory, to be erected on the campus. It is estimated that this will cost \$25,000.

About \$5,000 is needed for the equipment of the ore testing building. To meet the deficiencies of past years and to make some needed improvements on the campus another \$50,000 will be required. To meet all these expenses an appropriation of about \$200,000 will be necessary. Two years ago a tax of a half cent was levied for the purpose of maintaining the university, but this, it is thought, will not be sufficient.

J. S. Whiting asks judgment against the Provident Fund society of New York for \$700 on account of an accident sustained when measuring grain and that was loading on a car at West Court in November, 1892.

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Do Not Fail

To attend the auction sale of furs today at 2 p. m.

MARRIAGES, BIRTHS, DEATHS.

Marriage Licenses.

John Mack, 251 W. Third, and Ellen Gill John Schellberg, 512 W. Lincoln Johnson

Mr. and Mrs. Thomas O'Halloran, Girl Mr. and Mrs. J. Sienz, Boy Mr. and Mrs. Carl Bachman, Girl Mr. and Mrs. Albert D. Palmer, Girl Mr. and Mrs. Morris Adler, Boy Mr. and Mrs. McGuire, Two boys Mr. and Mrs. Knoll Gaucher, Girl

Deaths.

Mrs. Nina Forster, 559 St. Peter, 28 yrs. James Hartigan, 642 Park av., 84 yrs. F. Peper, St. Joseph's hospital, 24 yrs. Mary C. McWhin, 544 Barr st., 21 yrs. Mr. Kelly, 234 West Third st., 82 yrs.

Burials.

LAUDERDALE—In Tremble, Wk. Dec. 19, 1894, Robert Lauderdale, aged eighty-five years. Funeral from Clinton Avenue M. E. church today at 2 o'clock p. m. Friends are invited.

FITZGERALD—Friday, Dec. 21, at 3:30 p. m., in St. Paul, family residence, corpse of Miss Fitzgeral, aged four years nine months, oldest daughter of Thomas and Mary Fitzgeral, was buried from above residence Sunday, Dec. 23, at 1:30. Service at St. Michael church at 2 p. m.

NEID—In St. Paul, at family residence, 24 St. Anthony street, on the 19th inst., Wenzel Neid, Funeral Sunday, 2 p. m.

ANNOUNCEMENTS.

AT A SPECIAL MEETING OF THE board of trustees of the bank held Nov. 12, 1894, the following resolution was unanimously adopted:

Resolved: That rules of the by-laws be amended and changed to read as follows: Interest will be allowed at the rate of four per cent per annum on all sums of five dollars and upwards which shall have been deposited for three or more full calendar months previous to the first day of January and July in each year; and such interest, if of power in either sex, impotency, Leucorrhoea and all female weaknesses, involuntary Losses, Spermatorrhoea, caused by over-exertion of brain, Self-Abuse, Over-Indulgence. A month's treatment, \$1.50 for \$5. by mail. We guarantee six boxes to cure. Each order for six boxes, with \$3. will send written guarantee to refund if not cured. Guarantees issued only by W. K. Collier, Druggist, Seventh and Sibley streets, St. Paul, Minn.

GERMANIA BANK, LOCATED IN St. Paul, Minn., has been reorganized. Paid up capital \$400,000; pays interest on time deposits; sells drafts on all parts of the world; special attention given to sending money to Germany, France, Switzerland, and the British empire; \$100,000 loan to good responsible borrowers. William Dickel, president; & M. Kurtz, Cashier.

STORE OPEN EVENINGS TILL 10 O'CLOCK. SPECIAL. NEVER BEFORE HAS THE BOSTON HAD SO MANY NEW AND EXCLUSIVE THINGS TO OFFER DURING THE HOLIDAY SEASON. ESPECIALLY IS THIS TRUE OF NECKWEAR, OF WHICH WE RECENTLY RECEIVED A LARGE AND CAREFULLY SELECTED CONSIGNMENT FOR THE HOLIDAY TRADE. THE PRICES RANGE FROM 25c ON UP TO \$3.50, AND THE VARIETY OF STYLES INCLUDE ALL THE LATEST THINGS WORN THIS SEASON. NOT ONLY IS THIS TRUE IN NECKWEAR, BUT ALSO IN A HUNDRED OTHER PRETTY AND ATTRACTIVE THINGS IN GLOVES, HATS, BOOTS, SHOES, AND UNDERWEAR. WE HAVE A NUMBER OF SMOKING JACKETS LEFT OVER FROM LAST YEAR THAT WE ARE CLOSING OUT AT HALF-PRICE DURING THE PRESENT HOLIDAY. BATH ROBES AND DRESSING GOWNS FROM \$3 TO \$20. SMOKING JACKETS FROM \$4 TO \$25. SILK MUFLERS FROM 50c TO \$7. FULL DRESS SHIELDS, \$1.50. FLEECE AND FUR-LINED GLOVES, 50c TO \$7. WE HAVE A NUMBER OF SMOKING JACKETS LEFT OVER FROM LAST YEAR THAT WE ARE CLOSING OUT AT HALF-PRICE DURING THE PRESENT HOLIDAY. THE BOSTON NECKWEAR. 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