

THE DAILY BEE

COUNCIL BLUFFS OFFICE: No. 12 PEARL STREET... TELEPHONES: Business Office, No. 43; Night Editor, No. 23

NEWS FROM COUNCIL BLUFFS

Spencer Smith Wins His Suit Against the Bridge Motor Company. GETS JUDGMENT FOR FIFTEEN THOUSAND Money was raised to aid an Iowa company and then assigned to a Nebraska Corporation-Court Holds This Not Legal.

The motor company has another black eye. Judge Deemer rendered a decision yesterday in the case of Spencer Smith against the Omaha & Council Bluffs Bridge Motor Company, and in it he followed almost identically the line of reasoning as found in the recent decision of Judge McGee of the superior court, revoking the company's charter.

In 1886 the voters of Puttawattamie county voted to assist the Omaha & Council Bluffs Bridge Motor Company, organized under the laws of Iowa, in building the bridge between the two cities with a 6-mill tax for the years 1887 and 1888. The amount thus realized, about \$20,000, was paid over to J. H. Millard, the treasurer of the company, and he used it for the purchase of thousands of dollars of borrowed money the company proceeded to erect the bridge. In 1887, before the bridge had been built, the company, bearing the same name as the Iowa company, was incorporated under the laws of Nebraska, and on May 14 of that year a contract was entered into between the two companies by which the Iowa corporation assigned to the Nebraska corporation the tax money which it had received for the bridge.

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with a wife to the public; that it does not state how Holmes met his death through the hands of the murderer, and it does not say that Holmes would not have met his death if such orders had been made. On all other points he overrules the demurrer.

BENNINGSON BROS. Great February Sale. Mutilated uniforms, blouses, white goods, towels, napkins, muslin and sheetings. No lot up to \$10. Still greater bargains than ever today.

Favorable inducements will be offered to a few reliable and energetic agents who will solicit for the Mutual Life Insurance Company, of New York, and the Omaha & Council Bluffs district agents for southwest Iowa.

For Settlement of the Uncompromising and Unholy Reservation. WASHINGTON, Feb. 13.—The problem of settling the Utah and Uncompromising Indians has engaged the attention of members of the house committee on Indian affairs at their daily meetings for some time past.

Difficulties exist over the title of the Uncompromising reservation. The land was moved over from Colorado a few years ago and occupy their present holdings by executive order. They were promised agricultural lands, homesteads and not Indian lands. Asphalt deposits of great commercial value have recently been discovered in their territory.

At a negro dance Tuesday night at Roseville, Mo., three persons were seriously injured. Three children of Michael Dawson of Joliet, Ill., are suffering with smallpox of the most virulent form.

Yesterday a mail steamer was wrecked at Tacoma, Wash. From the schooner was a trial in December last, telling of the loss of an unknown vessel, about 600 miles at sea en route for Honolulu.

The annual convention of the Packing Manufacturers association was held in Chicago, Ill. The convention was opened by the president, J. S. Seligman, and T. A. Edwards were elected president and secretary.

At Brown's C. O. D. 22 lbs. granulated sugar for \$1.00. Rolled oats, 3c per lb. 3 pcks. oatmeal for 25c. 4 pcks. soda for 25c. 1 pk. condensed milk, 25c. 4 pcks. pancake flour for 25c.

At Brown's C. O. D. H. A. Cox, 10 Main street. Best quality, lowest rates. Telephone 100. Get prices before buying. Telephone 100.

BEFORE THE GRAND JURY. Cass County Bank Affairs Being Sifted by the Secret Inquisition. ONLY ADDS TO THE GENERAL SUSPENSE. What Little Can Be Learned by the Deputies Has Merely Served to Increase Their Apprehension—May Have a Report Today.

ATLANTIC, Ia., Feb. 13.—(Special to The Bee.)—The grand jury was summoned before Judge Deemer this morning and the law relating to trusts and corporations was read and explained to the members very fully. The jury was then sent out and told to meet at 10 o'clock to begin the sifting of the Cass County bank affairs.

Mr. Carter, who caused the arrest of the president and cashier of the bank on the charge of illegal banking, arrived in the city this afternoon and was summoned before the grand jury to give evidence against the officers of the bank. Carter was seen by The Bee reporter. He said: "I feel as if I had been deliberately swindled out of my money. I have lived in this county since 1870, and when I was farming, used to keep a few head of stock. The bank helped me occasionally here and there, but some time ago I retired from the farm and came to town to live. I put my money in this bank. On December 16 I went into the bank and saw Cashier Dickerson. I told him I had heard the bank was in bad shape. He told me that money was getting easier, and that they were lending to stock feeders in liberal amounts, and that inside of sixty days would have more money on hand than they would know what to do with."

John Schultz, a German hotel keeper, lost \$1,000, and he says: "I went to the bank to get some money on hand that I had saved up for my old age. I went to the bank and tried to withdraw my account, but could not, and they gave me worthless securities. I will begin criminal action against the officers of the bank. I have lost \$2,000, and Stouts lost \$3,300. Mrs. Hooper, an old widow, lost \$500, the savings of her life, and she says she is ruined. The bank has lost \$400, the saved from work as a printer, and they broke, letting the pump fall and an iron rod struck him on the head. He was about 23 years old and leaves a wife and one child. His father, Benjamin Breeding, was killed about two years ago by jumping or falling from a tree near Hillsdale.

At the regular business meeting of the Young Men's Christian association last evening, the members were admitted as usual, and nine associate members, making the membership increase fifty active and twelve associate since the district convention in December. The association is in a flourishing condition, both spiritually and financially.

Must Pay Goodwin's Insurance. CEDAR RAPIDS, Feb. 13.—(Special Telegram to The Bee.)—The jury in the case of Mrs. Artie Goodwin against the President Savings Life Assurance society of New York, to compel the payment of \$5,000 insurance carried by her husband, returned a verdict today giving her the full amount with interest from the date of her husband's death. Goodwin was an insurance agent at Omaha and committed suicide about a year ago, and the society refused to pay the policy on the grounds that he secured the insurance through fraud. Another case against the same society is pending in the court of New York for the same amount is also pending.

Iowa County Auditors Meet. DES MOINES, Feb. 13.—(Special Telegram to The Bee.)—A considerable number of county auditors and treasurers of Iowa held a state convention here today and discussed matters of interest to their respective offices. Legislative committees were appointed to look after matters in the legislature.

Working for Local Option. DUBUQUE, Ia., Feb. 13.—(Special Telegram to The Bee.)—The citizens committee left for Des Moines tonight to ask republicans and democrats favoring local option to unite on the Sawyer bill.

PEOPLE STILL INTERESTED. There were many farmers in town again today and their chief topic of conversation was about the bank. The report of Receiver Steinko and the probable action of the grand jury. When the bundle of Morning News arrived at the bank yesterday, the news stands and the supply were soon exhausted. The papers were read with many approving comments, and were distributed to the farmers who were fortunate enough to get a copy of the paper. This is the first time that any attempt has been made to publish the facts in the case. One farmer stated that he had been several hours yesterday under the impression that the receiver was going to have his report completed and would read it to the public from the bank. A sheriff selling a piece of property for taxes. He became quite cold before some kind-hearted citizen told him the truth about the way the receiver's reports were handled.

WAS IN PORK WITH JACK CUDAHY. President Yetzer's bonds are now \$10,000 and Cashier Dickerson's \$21,000. The president is an old man and when talking about the bank and receiving the report he is in a state of nervousness. He claims to have turned over to the receiver the bank's property, but he is heavily interested in pork with Jack Cudahy, and receiving the report he is in a state of nervousness. He claims to have turned over to the receiver the bank's property, but he is heavily interested in pork with Jack Cudahy, and receiving the report he is in a state of nervousness.

and when the officers opened up for business in the morning they found a long line of depositors waiting to get their money drawn from the bank. The bank happened to be caught short of ready cash, but nothing daunted Yetzer ordered the doors opened and sent out enough ready money to meet all demands for three or four hours. He then placed a lot of securities and bonds in the pockets of a chartered engine on the Rock Island road, and to Council Bluffs, secured \$50,000 on his securities and was back in Atlantic before 10 o'clock that day, ready to pay every depositor in full on demand. After gaining their political ends the officers of this bank were able to conceal anything that might have lost them the confidence of the community. The receiver thinks that he will be able to make his report public Wednesday or Thursday, and he is using every effort to facilitate progress.

Convicted Iowa Murderer Receiving Much Attention at Dubuque. DUBUQUE, Feb. 13.—(Special Telegram to The Bee.)—A sensation was developed in the Halcyon murder case today when Mrs. Pauline, a widow employed in the sheriff's office, was discharged for rushing upon Hugh Robb, in the court house corridor and kissing him, at the same time presenting him with a bank note and a basket of fruit, in the bottom of which was found a passionate letter to "My Dear Hugh" from "Your Loving May." The scene occurred while Robb and Haley were being taken from the crowded court room to the jail. Robb is under his sentence for murdering Policemen Prith and Talcott and is here as a witness for his accomplice Haley.

Had Been Misinformed. SIOUX CITY, Feb. 13.—(Special Telegram to The Bee.)—The case in which three stockholders of the National Bank of Sioux City applied for an injunction to restrain its officers from liquidating the business of the bank and consolidating with the Security National and for a receiver to wind up its affairs was called up in the United States court today. To the surprise of everyone the plaintiffs did not appear, but instead filed a motion for dismissal, stating that they had been misinformed as to the condition of the bank and the intended actions of the officers by James P. Fay, who desired to defeat the consolidation with the Security National Bank of Sioux City with \$50,000 capital, the Phoenix National with \$50,000 capital, the National Bank of Sioux City with \$50,000 capital, and the National Bank of Sioux City with \$50,000 capital.

Slot Machines Tabooed. FORT DODGE, Ia., Feb. 13.—(Special Telegram to The Bee.)—Judge Weaver of the district court in charging the grand jury today gave the special instructions to indict the owners of the slot machines which are in common use by cigar dealers, pronouncing them gambling devices.

CRIME IN HIGH PLACES. It is not strange that some people do wrong through ignorance, others from a desire to get ahead, and still others from a wrong of a matter. But it is strange, that individuals and firms, who are fully aware of the rights of others, will persist in perpetrating frauds upon them. High-toned, wealthy manufacturing firms sell their wares and sell to merchants, articles which they know to be infringements on the rights of proprietors, and imitations of well known goods. We want to sound a note of warning to the retailers who buy of these firms. They are wrong in a matter. But it is strange, that individuals and firms, who are fully aware of the rights of others, will persist in perpetrating frauds upon them. High-toned, wealthy manufacturing firms sell their wares and sell to merchants, articles which they know to be infringements on the rights of proprietors, and imitations of well known goods. 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