COUNCIL BLUFFS DEPARTMENT

MINOR MENTION.

Harry Murphy, coal and wood, 37 Main. C. Dawson will leave soon for Chicago Dr. Shriver, dentist, Merriam bik., rom 246. Smoke Olite's Choice, 1923 South Main

M. E. Butler of Atlantic is in the city on

Mrs. F. M. Conlee of Morningside is visiting in Hamburg. Miss Tillie Leutzinger is ill with Inflam matory rheumatism.

Mrs. Fred Tinley of Sioux Falls is a guest of Miss Beebe on Gien avenue. Remember the concert at Broadway church tonight. Tickets only 25 cents.

Mrs. Wade Carey has gone to Milwaukee for a month's visit with friends. "The New Woman" at Hugh's hall Wednesday, Oct. 13, by Unity guild. Satisfaction guaranteed at the Bluff City steam laundry. Phone 314. Sam Welch of Fifth avenue is home from Norfolk, Neb., for a visit with his family.

The trustees of the free public library held their regular monthly meeting last night. Lady Maccobees will hold a meeting today at the regular hour in the Beno hall. Miss Isabelia Patterson of Fifth avenue is making an extended visit to friends in Ham-

Miss Edith Ross is in Duluth, where she will get as bridesmaid at the wedding of a The Derthic club met last night at the resi-

dence of Miss Pearl Chamberlain on Park Miss Julia Officer has returned to Chicago. Born-To Mr. and Mrs. Will Nicholson, a

daughter. Miss Eliza Cook leaves Wednesday of this ck for Pine Bluffs, Wyo., to live with

W. W. Leomis is spending a couple of weeks in Cincinnati before returning from

Messrs, H. Hughes, J. Mahoney, W. Leahy and J. W. Grey, implement men of Imogene, are in the city. Mrs. F. P. Wright and daughter have re

turned from an extended visit to friends in lowa City, Dubuque and Chicago. Mrs. J. M. Palmer left yesterday afternoon or New York City, where she will spend the

winter with her son-in-law, Frank S. Ster-The will of Mrs. Millie A. Shuart was filed for crobate yesterday. All of her personal and other property was willed to her hus-

Every season, as damp, cloudy weather approaches, more people find it convenient to send their family washing to the Eagle

laundry, 724 Bway. Thomas Rishton furnishes only the best trades of coal, guarantees correct weight and prices as low as anywhere in the city. 2406 West Broadway.

Mat Tinley has begun a course of study in the Creighton medical college that will last four years, and fit him for his chosen vocaas a physician.

Mr. and Mrs. E. J. Gilbert will entertain a number of their friends thi sevening at their home on First avenue. The occasion is their fou th wedding anniversary. The funeral of Mrs. George E. White will

be held at the residence, 212 Harmony street this afternoon, at 2 o clock. The interment will be at Walnut Hill cemetery. Fred Duncan, who was tried for seduction

at the last term of the district court, and was kept in doubt as to his fate for several days by a hung jury, was g anted a continuance Mrs. Lucius Wells and Mrs. M. F. Rohrer

have issued invitations for a party to be given Thursday evening in Chambers' hall in honor of Miss Cherry Wells and Miss Carric and Master I. B. Rohrer. The Hamilton Whist club will meet this afternoon at the residence of Miss Farns-we th. Whist promises to be one of the leading features of social gatherings this

Everett will entertain the Ladies' Whist club this morning at her home sentenced Charles Hoigg to thirty days the county jail. Hoigg pleaded guilty to the charge of breaking into a barn and stealing some horness. Ed Johnson and Ed Day, who

ball and their cases continued. J. A. Frame was arrested yesterday upon an old information charging him with the larceny of a section of garden hose from a man named Englin. The theft was committed some time ago, but Frame has been out of the city. He returned yesterday and

was picked up by the police. C. P. Harie, the janitor of the Pierce street chool building, who suffered severe injuries on Faturday by falling from a tall-stooladder and striking on one of the school desks, was reported last evening to be suffering greatly. and his friends were fearful that his inju les

The police are looking for two boys and a man who are charged with stealing a act of harness from J. R. Lindsay one night last week. The harness was found in the pos-session of a second-hand dealer in the western part of the city, where it had been sold by the man. The boys stole the harness and the man sold it.

county democratic committee held a meeting last night in the new headquarters in the Brown building and made arrangements for the opening of the campaign. Chairman Bixby consulted with his lieutenan's as to the best means to be followed for lessening the extent of the defeat that is anticipated at the November election.

The wiii of the late Geo ge A. Holmes bas been filed for probate. Judge E. E. Ayles-worth is named as executor. A gold watch and chain, which was highly prized by the

Fred Engwoff, a soldier enroute to Cheyenne, complained to the police that his grip was stolen from him at the transfer yester-day. He set it down in one of the waiting froms while he ate lunch at the counter less than twenty feet away. When he returned for it it was gone. It contained a silver cornet worth \$80. The owner is a member of one of the military bands.

will be observed. The body will be buried in sented has been altogether too short for sound conclusion to have been reached. the Roman Catholic cemetery.

W: L. Thickstun has been engaged as the organist at St. Paul's church, and has resigned his position in the First Presbyte ian church, which he has held so long for the purpose of accepting the better offer that was made by the vestry of St. Paul's. Miss hold if ever it comes the court will so feeting the supreme court will so Gertrude Gleason, who has been organist at the First Congregational church has resigned the First Congregational church has resigned that position to accept the post made vacant by Mr. Thickstun's resignation. Her place has not yet been filled.

Money to Loan—Reducad rate on first class improved farms and inside city property. Apply to Jas. N. Casady, jr., 236 Main St.

C. B. Viavi Co., female remedy; consultation free Office hours, 9 to 12 and 2 to 5. Health book furnished, 326-327-328 Merriam

N. Y. Plumbing company. Tel. 250.

The Knights and Ladies of Security will live a social and dance at Royal Arcanum hall Tuesday evening. October 12.

Bald and Loughend Matched. MEMPHIS, Tenn, Oct. IL-Eddie Bald and Fred Loughead have been matched for a race in this city next Monday night for a purse of \$500.

TRY GRAIN-O! TRY GRAIN-O Ask your grocer today to show you a package of GRAIN-O, the new food drink that takes he place of coffee. The children may drink it without injury as well as the adult. All who try it, like it, GRAIN-O has that rich seal brown of Mocha or Java, but it is made from pure grains, and the most delicate stomach receives it without distress. It the price of coffee. He and 250 per package. Sold by all grocers.

New Move Contemplated in the Franchise Ordinance Game.

MANAWA COMPANY CHANGES ITS COURSE

Gets an Opinton on the Validity of Its New Charter and Decides to Depend on an Election.

The Lake Manawa railway people, if they build their road at all, as proposed by the extension of their old charter, have determined that it will be necessary to submit the matter of charter to the people at a special election to be held this fall.

This decision was reached yesterday when

the company received an opinion concerning the validity of the ordinance recently passed by the city council from an eminent jurist outside of the city, to whom had been submitted the question. Emmett Tinley, attorney for the company, and C. R. Hannan, one of the chief backers of the scheme, refused to say who this eminent judge is, but declared that his opinion, which was received n the noon mail, is of such a nature that it left them nothing else to do but to abandon the project or clear away the doubts by securing if possible the approval of the voters. The judge to whom the matter was referred declares that the question of validy turns wholly upon the publication of the ordinance. It is his opinion that the first publication in the special edition of the offi-cial paper, issued half an hour before midnight, did not constitute a legal publication within the meaning of the law, and that the first publication was made on the fol-lowing merning, which was October 7, when extend franchises to corporations operating public utilities. He is satisfied that all public utilities. He is satisfied that all other portions of the ordinance as it came from the city council and the mayor are perfectly legal. He is not willing to assert his belief that the supreme court would not sustain the validity of the ordinance on the grounds that the legislature had no power enact laws that would be retroactive in their effects, but the doubt raised by the faulty publication would undoubtedly be sufficient to make it impossible for the comto float its bonds.

Mr. Hannan is very guarded in his state-nents, and yesterday when questioned upon the subject he prepared the following writ-

dinance.

In order to avoid any question of doubt it is necessary that the passage of the ordinance be submitted to the vote of the prople at a special election. The promoters of the enterorise are consulting with prominent business men and taxpayers as to the advisability of calling a special elec-tion to submit the proposition to the peo-

ple. WHAT IS NECESSARY NOW. The new law under which the railway company will have to proceed to get an expression from the people provides that a petition bearing the names of twenty-five of and were tried in the federal court for stealto fall near enough to a regular election to bring it within the requirements of the law, which requires the publication of the proclamation for four consecutive weeks preceding the election. The election must then be held in the usual manner, and the aphe held in the usual manner, and the aphen held in the usual manner. plicants for the franchise must pay all expenses. Mayor Carson is in Colorado at As soon as O'Brien was able to travel he present, and will not return till about Oc-went to the place and instantly recognized some horness. Ed Johnson and Ed Day, who tober 18. By the most rapid work possible the man there as the fellow who had tried the special election cannot be held before to kill him. McHugh was then in prison, ball and their cases continued. sition should carry it will be pretty well along in December before the matter is finally settled so that the company can go into the money markets and dispose of its bonds. If all of these negotiations should bonds. be prearranged the company might be able to get its money and get ready to call for contracts by January 1. This portion of the tructed and ready to haul passengers across the river and to the exposition grounds early in the spring to enable the company to get enough of the traffic to pay for the great affidavit of the prisoner that was without outlay. Emmett Tinley is inclined to take an optimistic view of the matter, and believes that the company can utilize its charter if it secured it early in December. He says a sufficient amount of money can be raised in this city without disposing of the company's bonds to build the connecting ink over the East Omaha bridge between Broadway and the terminus of the East Omaha company's lines, half a mile west of he Nebraska end of the bridge.

"If we decide to ask for anything," said Mr. Tinley, "it will be for our present charwith the extensions granted by the neil. We could not and would not atcouncil. We could not and would not tempt to operate under anything else. we had not been interfered with we would have spent at least \$200,000 in cash in Counand chain, which was highly prized by the owner, is given to his father, George W. Holmes. His diamond ring and a number of books, are given to his sister, Mrs. Laura western end of town and given new value to the portion of the city that lies west of the portion of the city that lies west of the portion of the city that lies we would be compared to the city that lies we would be compared to the city that lies we would be compared to the city that lies we would be compared to the city that lies we would be compared to the city that lies we would be compared to the city that lies we would be compared to the city that lies we would be compared to the city that lies we would be compared to the city that li cil Bluffs this winter and early next spring, the river. In addition to all of this we would have landed the people of the city and the thousands who will visit the exposition from

the east at the gates of the big show within twenty-five minutes from the time they stepped aboard of our cars.' CAUSES SOME COMMENT. The fact that the Manawa people had one of the military bands.

The funeral of John F. Murphy, jr., who was killed while in the discharge of his duties as a switchman in the Northwesetrn yards, will be held at the residence of his fasher, 927 Avenue H. at 8:30 o'clock. The body will be taken to St. F ancis church at 9 c'clock, where the usual services for the dead will be observed. The body will be buried in sented has been altogether too short for a sponded to an encore with another facely rendered selection. As the little lad appeared upon the platform the padelier appeared upon the platform the padelier responded to an encore with another facely rendered selection. As the little lad appeared upon the platform the padelier appeared upon the platform the platform the padelier appeared upon cured an unfavorable opinion from a dishave been working on the case for the last week and have discovered that a great amount of laborious research is required. It hold if ever it comes up for review.

Real Estate Transfers. The following transfers are reported from the title and loan office of J. W. Squire, 101

Pearl street: Pearl street:

Mary Curtis and husband to William
R. Johnson; lot 4. Auditor's subdivision of block 6. Mill addition, w. d. \$2.000
County treasurer to W. P. Webster; lots 1 and 3. block 13, Williams' first addition, tax d.

John Waiker and wife to F. T. True; lot 1, block 7, Stutsman's second addition, w. d. ounty Sheriff to T. H. Cieland; lots 1 and 2, block 15, Pierce's subdi-

vision, s. d.
harles E. Kimball and wife to Nellie
Bretherton; lot 8, block 28, Riddie's
subdivision, w. d.
W. Conner and wife to Benjamin
Marks; neli swi 35-74-44, special w. d.
Heirs of Virginia E. Robinson to
Frank K. Robinson; lots 1, 2, 3 and 4,
block 9, Meredith's addition to
Avoca, q. c.

MAY GO BEFORE THE PEOPLE OBRIEN'S ASSAILANT ON TRIAL Bank Robber and Would-Be Murderer

is Before the Court. J. J. Riley, alias Charles McHugh, is or trial at last for murderous assault of ex-Deputy Sheriff Nick O'Brien, committed on February 25, 1895, while the officer was try ing to place under arrest three men charged with robbing the Griswold bank on the night of February 23. McHugh has been in jail here awaiting trial since last January, and has avoided trisl by numerous continuances.

When the case was called vesterday morning the attorneys for the defendant made a motion and filed the necessary affidavits for another continuance. This was resisted by County Attorney Saunders, and a portion of the forenoon was devoted to oratory. Judge Macy overruled the motion and ordered the trial to proceed. The regular jury panel was exhausted early in the afternoon, and a special venire was issued summoning twenty additional citizens to report for jury duty. A jury was finally selected and sworn shortly before 4 o'clock, and the remainder of the session was devoted to the opening statements of the attorneys. The jury consists of Alexander Wood, fruit grower; Andrew Graham, fruit grower; R. D. Gallagher, farmer; M. B. Musser, farmer; Fred Mil-lard, farmer; Richard Cochran, miller; D. H. Gilmore, butcher; R. J. Morris, farmer; Fred Leitzke, farmer; D. L. Kerr, real estate agent: Fred Everest, real estate agent; C. E. Osborne, farmer. County Attorney Saunders gave the jury a very clear and explicit statement of the crime. On Saturday, October 23, three mer

came to Council Bluffs and registered at dif-ferent hotels. Two of these men were afterward arrested, convicted and sent to the pen itentiary for bank robbery. The third was Riley, or McHugh. One of these men went east on a Rock Island freight train on that Saturday evening, and the other two fol-lowed on Sumday. On Sunday night the bank was robbed, the vault being torn to pieces by an explosion of dynamite and the building badly wrecked. The explosion aroused the town, and the burglars were compelled to flee before they succeeded in gathering up the the new code went into effect, withdrawing from the city council the power to grant or extend franchises to corporations operating On the following Monday forenoon three men came in on a Rock Island train and took rooms at the Kiel hotel. They were the same men who had registered other names at other hotels on the previous Saturday. They went to bed and went to sleep. During the afternoon a telegram came from the Cass county sheriff, detailing the robbery and describing three men supposed to have committed it. Deputy Sheriffs O'Brien and Hooker located the men at the hotel and placed then under arrest. While they were still in the hotel a fourth man appeared and was evidently a member of the crowd, but claimed to have met them at Des Moines of the week previous. The officers paid no attention to him, but started with the three, ten statement:

The question of the validity of the ordinance recently passed by the city council was submitted to eminent counsel outside of such a character that the promoters of the Lake Manawa Railway company extension do not feel justified in going forward with the work under the present ordinance.

attention to him, but started with the three. McHugh, Willard and Butler, to the county jail, half a block distant. When in front of the court house on the south side, McHugh gave a signal to the others and instantly turned and fired at O'Brien, pressing a 45-calliber revolver almost against his abdomen, inflicting a wound that came dinance. nearly being fatal. O'Brien fired his own re volver, and the bullet took effect in the body of Wilson, crippling but not killing him. A dozen shots were fired in the immediate dozen shots were fired in the vicinity of the court hous, but McHugh go away, after a running fight with Hooker that carried him in the extreme western part of the city. Each of the men emptied their revolvers a number of times, and one he voters and taxpayers in each ward must ling \$600 worth of postage stamps, which was be presented to the mayor and the city coun-il, and the mayor is then required to issue out of the bank booty, but McHugh got out of the country. O'Brien never relaxed this proclamation, calling a special election his determination to find the men who had shot for the purpose if the date does not happen to fall near enough to a regular election to ously wounded he was planning for the cap-As soon as O'Brien was able to travel he went to the place and instantly recognized and was not released until last January

when he was brought here upon a requisi-The whole fight McHugh will make for his liberty will turn upon the question of identity. He has subpoensed Wilson and Wil lard, and they will be brought here from the penitentlary to testify in his behalf. He has also secured depositions from Mr. and Mrs. Davis, where he boarded in Philadelproblem being settled the next that comes to has also secured depositions from Mr. and the surface is the most important of all— Mrs. Davis, where he boarded in Philadelcan the work be done within the reduced phia, and Robert E. Deady, of the same city. limits? The line from the Ninth around whose place of business he hung depot on Breadway must be con-out. These depositions came by express t. These depositions came by express
O. D. yesterday morning, and the court made au order calling upon the county au ditor to pay \$18 toward their cost upon the

> money.
>
> It is expected that a portion of this foredefense, but the last thing before court ad journed Colonel Daikey announced that the defense would waive the privilege. The tak-O'Brien will be the first witness. Some comment has been occasioned around the court room by the fact that McHugh has grown a stubby beard of six week's growth,

TESTIMONIAL TO A BOY MUSICIAN Complimentary Concert Tendered to

Master Arthur Goff. The testimonial concert tendered to Master Arthur Goff last evening was an excellensuccess so for as the production of high class music was concerned. The audience was not so large as was hoped for, on ac count of the unfavorable weather. The evening's entertainment was opened by an overture from the orchestra followed by an excellent rendition of the "Flocktonian Polka" on the cornet by Master Arthur Goff. He responded to an encore with another fixely rendered selection. As the little lad

a sponded to an encore with "Drink to Me I Only with Thine Eyes." The audience greeted Mr. Nickerson with an ovation an after his first selection called him back night. His address was devoted to a discus

in the program by way of a cornet duet by Mr. Nickerson and Master Goff. They also responded to an encore. Mr. Aitchisco appeared again and sang "King of the Forest

The evening's entertainment was con-cluded by a selection by the orchestra.

GIVES HIM A GOOD REPUTATION Neighbor Secures a Mitigation of Perjurer's Sentence.

William Duncan, who was convicted of perjury in connection with his testimony in a bootlegger's case before Commissioner George F. Wright, was called up for sentence. Sentence was delayed when the The stenographic record of the case was 500 other prisoners were sentenced at the end introduced, and the case argued and subof the September term of the federal court mitted. 400 at the request of the attorneys for the prisoner, who desired to make a showing to the court to mitigate sentence. Duncan is a resident of Red Oak and his perjury was committed in the interest of a friend who had fallen into the meshes of the federal revenue laws. His attorneys brought up from Red Ook yesterday one of the promi-neut farmer citizens who was able to tell

ROLLS OVER AN EMBANKMENT Charles A. Lloyd, middle-of-the-road populist candidate for governor, and wanted to file a protest against the whole proceedings on the ground that Lloyd had not been served with notice. He wanted the case continued till the pext term of court, which will be Charles Anderson Arrested as the Result of Flectric Car Jumps the Track with

after election.

It is not expected this motion will be Terrible Results. given any attention. The case was taken under advisement, and will be decided in a few days. It will be carried to the su-preme court however it is decided below. ONE KILLED AND HALF A SCORE INJURED

GREENWOOD PARK A TOWN AGAIN Traveling Man Named Myers is Dead

from His Wounds. CEDAR FALLS, IA., Oct. 11.-An electric street car on the Waterloo & Cedar Falls rapid transit line jumped the track at a bridge and was precipitated over a thirtyfoot embankment, three miles from this city today. One Myers, a traveling man, was killed outright and ten others were seriously

and Another, W. H. Merton, Is

Not Expected to Recover

hurt. Sixteen people were in the car at the time and they were all more or less injured. The injured are: W. H. Morton, a Chicago traveling man; will probably die.

A. Rothline, Cedar Falls, scalp wound. Alice Crotty, Waterloo, internal injuries. Miss Flickinger, face cut. Frank Foulk, rib broken. D. B. Morrison, Winona, Minn.

to the effort to reassert their authority. They are: Walter McCain, C. H. Getchell, J. H. Windsor, F. S. Jaquith and E. R. J. O. Waldron, Chicago. Charlotte Cunningham, student State Nor nal school. Clara Sine, student State Normal school Kittle Townsend, Fort Dodge, student State formal school.

Frank Latier, conductor. Claude Cass, student State Normal school. Clara Hunt, student State Normal school. Lulu Bovee. All the injured are likely to recover ex-

E. B. Tibbatts, motorman,

ORPHANS' HOME CAUSES STRIFE Odd Fellows of lown Have a Trouble

some Question to Settle. DAVENFORT, Ia., Oct. 11 .- (Special.) -- A few years ago the Old Fellows of Iowa took under consideration the advisability of establishing in some city of the state a home for Odd Fellows' orphans. After the matter had been discussed at several grand lodge meetings the grand lodge solicited propositions from cities desiring the location of the home. Jefferson, Indianola, Boone, Mason Clinton and several other cities in the submitted propositions at the next grand lodge meeting. Greene lodge of Jef-ferson offered lands, buildings and a bonus if the home was located at that place. In ianola also submitted a good offer Jefferson proposition was accepted and a committee was appointed to close up the leal. This committee made a modified demand that Jefferson guarantee free educa-tion to the orphans. Iowa's educational laws are not subject to Odd Fellow authority and in this demand the committee exceeded its authority. School boards are chosen from year to year and one board cannot limit the lawful actions of its successor. The sitting board of directors was in favor of free education and Greene lodge of Jefferson of-fered to procure, or did procure, bonds to guarantee free education of the orphans, so far as the grand lodge was concerned.

At this time Indianola came in with a nodified proposition, listing the land in quesion at a fictitious value. The committe sciected by the grand lodge to close up the ity from the grand lodge entered into a contract with Indianola. Jefferson secured an injunction pending the meeting of the grand lodge. The grand lodge in session at Mason City, by a vote of 4 to 1, sustained Jefferson and again decided the home should be located there. Then indianola secured an injunction pending the sitting of the sovereign lodge at Indianapolis. That body has reversed the action of the lowa grand lodge and decided that the home should be lo

cated at Indianola. The grand lodge of Iowa will meet in this city on October 18 and at that time the matter of the home will again come up. There will be a bitter fight and the probabilities are that it will be decided to abandon the building of the home altogether, as there widespread sentiment among the Odd Fel lows of the state that they desire to control heir own business affairs. Many are of the pinion that an Odd Fellows' orphanage is ntirely unnecessary; but irrespective of this ppinion, they believe that if the home is built it should be located at Jefferson, and believe that the sovereign lodge

should interfere. Cedar Rapids lodge, No. 141, one of the argest and most influential lodges in the state, at a recent meeting decided to invite conference of the representatives of all the odges in the Fifty-first district to meet is order to become thoroughly acquainted with the wishes and preferences of their constirency. A convention has been called for October 13 in the hall of the Cedar Rapids odge, at which time some line of action will be decided upon In the circular sent inviting the representatives of the distric to meet at Cedar Rapids the committee among other things, says: "Brothers; A serious condition confronts us. We cannot bu noon would be devoted to the statement of the case to the jury by attorneys for the alarm. Disaster and misfortune may be hilden in the turmoil and strife now excit-ing the brotherhood of the state. Can we do anything to allay or mollify this excite ment and encourage a more harmonious sen-timent? We can at least solidify ourselves by this conference and thus by energetic and determinate action make the Fifty-first disfull beard while he was in Jail. At the trict one of influence and power in the next time of the shooting he was wearing a shor; grand lodge in the determination and settlement of the home question now so much a

SHAFT HOUSE FIRED BY STRIKERS

Flames Are Prevented from Spreading Into the Mine. DES MOINES, Oct. 11 .- (Special Teleg am.) -Late Sunday night the shaft house of the Enreka Coal company, east of town, was found on fire, this being the sec and fire there in five days. It is charged both were sta ted by striking miners, as this company has atoused the bitter opposition of the men. The shaft works burned out, but the fire was prevented from getting into the mine. The loss is about \$3,000.

The Carbondale Mining company tiday re-eived 100 Russian miners from Illinois, to take the places of men who have refused to go back at the terms offered. Most of the strikers have returned to work at the raise. WHITE SPEAKS AT MASON CITY

Democratic Candidate Alleges Republienn Extravagance. MASON CITY, [ii., Oct. 11.—(Special Telegram.)—Fred E. Whife, democratic c indidate for governor, spoke in the Auditorium toaion of state expenditures, alleging extrava-

question was taken up at the finish. The hall was well filled.

At the conclusion a binquet was held at the Park h tel. 100 covers being laid. Speeches were made by C. B. McFall of Oskalousa. T. W. Woodrow of Des Moines. Fred E. White. J. P. Blaiso, E. B. Higley, F. A. Kierschman and Colonel Sorter. was well filled.

gance in republican franagem ut. The silve:

ASE TAKEN UNDER ADVISEMENT

Populist Nomination Dispute in District Court and Will Be Appealed. DES MOINES, Oct. 11 .- (Special Telegram.) -The record in the populist nomination case was certified to the district court today.

General Remiey then appeared and asked that he be allowed to protest on behalf of the election board, without the formality of legal appearance. Judge Spurrier refused to allow this. Then J. M. Day appeared as attorney for

M. Conner and wife to Benjamin Marks: nell swil 36-7i-44, special W. G. Conner and wife to Benjamin Marks: nell swil 36-7i-44, special W. G. Conner and wife to Benjamin Marks: nell swil 36-7i-44, special W. G. Conner and wife to Benjamin Marks: nell swil 36-7i-44, special Young man, and it evidently had an important block S. Meredith's addition to Avoca, G. Conner and Conner and the subject. When sensitive was pronounced instead of the two or three years which was generally expected would be the punishment, Judge Woolson a good deal in favor of the Judge Woolson a Judge Woolson a good deal in favor of the Judge Woolson a Judge Woo

Old Council of a Des Moines Suburb

Claims Authority.

Moines annexation of eight years' ago is

getting at the same time serious and hu-

morous. The city, in 1890, annexed all the

what is now Grand avenue, the Fifth avenue of Des Moines. The council has got into a

qualified and further, that the annexation

law being unconstitutional there is no other authority over Greenwood Park than

its old town government. Of the six men

who were councilmen at the time of annexa-tion, five still live here, and all are agreed

present paying controversy, and a case will be carried to the federal courts to deter-

nine if the annexation was valid. The Iowa

upreme court has held that it was entirely

Latest Development in Fight Against

Salary Grab Ordinance.

DES MOINES, Oct. 11 .- (Special Telegram.)

who was mayor of Dubuque at the time of

approved that measure, must stand trial for

on demurrer and appeal took the matter to the supreme court. The demurrer is over-

ruled and he will be tried. A few days ago

the court handed down a like opinion in the

cases of the aldermen who voted for the

AUDITOR AND CASH ARE MISSING.

an Adair County Official.

than a week, have offered a reward of \$503

for his arrest. Experts are examining the

ondition becomes worse. The supervisors

have declared the office vacant and appointed

Vote for Equal Lay Representation.

Iowa News Notes.

of Sheldon of \$250 for the benefit of the pub-lic school library, on condition that the citi-

ens of Sheldon would give an equal amount.

The teachers have raised more than that

amount and a fair library for the school is

Frank Haupt and R. A. Anselmant, two

oung men taking a pleasure trip from St. Paul, their home, to St. Louis, stopped at

Burlington. As their craft left the levee

Haupt had the top of his head blown off and was instantly killed by the discharge of

musket. Anselmant says Haupt discharged be weapon himself accidentally, but that he

fid not see it. He turned around at the

Burglars entered the general store of Hough, Smith & Felter of Farnhamville Sat-

urday night. Mr. Hough discovered them and fired two shots at the robbers without

effect and then stepped out in the street and called for help. The burglars rushed to the

ront door and shot him, one ball taking ef-

Hough went into convulsions and the bur-glars made their escape. Officers were at

fect in his neck near the jugular

hot to see his companion fall.

A short time ago Hon. Ge

ow an assured fact,

an auditor pro-tem.

epresentation.

oks, and as the investigation proceeds, the

malfeasance in office. He was indicted and

danger of being dismembered.

DES MOINES, Oct. 11 .- (Special Telegram.)

The fight over the validity of the Des

Charles Anderson Arrested as the Result of a Fight with Kuives.

QUARREL OVER TRESPASSING CATTLE

Survivor Says He Went to the Place Intending to Fight and He Will Be Tried for

Murder.

CHEYENNE, Wyo., Oct. 11,-(Special.)surrounding territory, including about a dozen incorporated towns, among them Greenwood Park included Charles Anderson and Edward Knoff, brothers-in-law, living on Oak Creek, Cook county, fought with knives on Wednesday until Knoff was stabbed to death. The men have of Des Moines. The council has got into a fight with the Grand avenue people over a big paving contract, and the annexation fight has been dragged in. A call has been issued for a meeting of the old city council of Greenwood Park. It is issued on the theory that the old council, under the law, holds office till successors are elected and qualified and further, that the annexation qualified and further, that the annexation. been at enmity for several years and their quarrels have been frequent and bitter. Tuesday some of Anderson's cattle got into Knoff's fields. He turned them out onto the open plains. Anderson was offended and on Wednesday morning took a sharp hunting knife and went to Knoff's place for a settlement. He found Knoff alone in his corral and the fight commenced at once. Anderson's version of the affair is that they fought with their fists for some time and that he was getting the best of the fight when Knoff drew a knife. He did the same and soon struck Knoff twice in the abdomen and once in the back. Knoff fell to the ground, and he fled.

Mason. One has moved away, and the coun-cil will fill the vacancy. C. B. Kaufman, who was mayor of Greenwood Park, has left, and the council will fill the vacancy temporarily. As soon as the council gets the Mrs. Knoff, who is Anderson's sister, found her husband bleeding to death in the corral, where he died without recovering consciouswheels of government oiled, it will formally notify the city of Des Moines that it is tres-passing within the limits of the town of ness. Anderson was arrested and is in jall at Sundance. Before he knew of Knoff's Greenwood Park, and will also bring an ac-tion to secure an accounting of funds col-lected by the city of Des Moines from death, he told of going to his place with the intention of fighting. He will be proseuted for murder. Greenwood taxpayers. The old council will then be made defendant in the suits over the

DENVER, Oct. 11.-Rev. Dr. Newell S. Albright, professor of biblical and historical theology in the Hiff School of Theology, died

Deaths of a Day.

inconstitutional, but on grounds of public policy declined to set it aside. The belief last night after a brief illness. He was a solicy declined to set it aside. The belief graduate of Ohio Wesleyan university. Drew enient, and that the city is in serious langer of being dismembered.

In the set inght after a orier intess. He was a way to be graduate of Ohio Wesleyan university. Drew Theological seminary, and the University of Halle in Germany. He was 49 years old.

SAN FRANCISCO, Oct. 11.—Dr. Luke Robinson, one of the most prominent citizens in California, died suddenly of heart disease DUBUQUE'S MAYOR WILL BE TRIED. yesterday near Lathrop, Cal.
ORLEANS, Neb., Oct. 11.—(Special.)—
Frunk Dalrymple, aged 42, died here last
week of apoplexy. He was buried with
Masonic honors. He leaves a wife and four The supreme court held that Peter Olinger,

CRAWFORD, Neb., Oct. 11.-(Special Telthe passage of the salary grab ordinance and egram.)-Mrs. Jennie E. Showers, pro-prietress of the Gate City hotel here, formerly of Long Pine and Newcastle, died suddenly yesterday of Bright's disease, the malady of which her husband, O. J. Showers, died two months ago. Mrs. Sharp, her daughter, and John Ulrich leave tonight with the remains for Sagninaw, Mich. Funeral services were conducted here by Rev. Bates, under the auspices of the Masons and the Order of Eastern Star.

Reward of Five Hundred Dollars for There is no need of little children being tortured by scald head, eczema and skin eruptions. De Witt's Witch Hazel Salve CRESTON, Ia., Oct. 11 .- (Special Teleeruptions. gram.)-The bendsmen of Auditor Davis of gives instant relief and cures permanently. Adair county, who has been missing for more

Fire Record for a Day. ATCHISON, Kan., Oct. 11.-Fire, which started at 2:30 o'clock this morning, destroyed the flouring mill and warehouse of John M. Cain, togother with contents; the flouring mill and contents belonging to the Central mills the Cain block a two-story brick structure containing four stores, and DUBUQUE, Ia., Oct. 11.-The Methodist five small frame buildings. The aggregate onference, before adjournment today, voted loss is about \$75,000; insurance, about onealmost unanimously in favor of equal lay third. Besides the flouring mill, Cain owned the block and three of the dwellings. The Cain warehouse contained 3,000 barrels Iowa News Notes.

A man whose identity is unknown was of wheat. Cain's total loss is \$52,000; infound dead under a railroad bridge near Spirit Lake. He had been shot, one bullet surance, \$21,500. The Central mill contained a large amount of grain. Both mill and con-tents were fully insured.

rimghar made an offer to the public school saved. No insurance. The fire originated from a defective flue.
BLOOMINGTON, Ind., Oct. 11.—The hotel

at French Lick Springs burned early this

Banker Fails to Appear for Trial. CHICAGO, Oct. 11.-J. W. Donaldson, the St. Louis banker and broker who was arrested Saturday, failed to appear in court today when he was called charged with disorderly conduct. The officer who made the arrest explained that he had brought the millionaire in for safe keeping and upon learning that there was nothing against the defendant the magistrate dismissed the case. Donaldson came to Chicago to rell bonds and was taken into custody Saturday. He spent several hours in a cell. arrested Saturday, failed to appear in

Indians After Train Robbers. GUTHRIE, Okt., Oct. 11.-A posse of Cheyenne Indians, headed by Deputy United States Marshal Eugene Hall, has been ser after the remainder of the Jennings bandi who held up the passengers on the Rock Island at Chickasaw recently. The Indians have struck the trail and are now going to-ward the Wichita mountains. Hall is a daring officer and was an officer in Cripple (Creek during its palmy days. their escape. Officers were at once notified, but as there is no clew no

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E. I. Woodbury, will have charge of the plate work in my office and I will give my entire attention to Operative Dentistry, Crown and Bridge Work. No. 30 Pearl St.,

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In diagnosing a man gets sick, nine

symptom of some hidden and long-neg-lected disorder. Most frequently the origi-nal and exciting trouble is a disordered di-gestion. If that is corrected nature will in the majority of cases do the rest. It is easy for a man to avoid sickness if he will keep a watchful eye on his digestion and resort to the right remedy the moment he feels

to the right remedy the moment he feels himself out of sorts.

All disorders of the digestion are corrected by Dr. Pierce's Golden Medical Discovery. It restores lost appetite, invigorates the liver, and fills the blood with the life-giving elements that build healthy flesh and firm muscles. It is the great blood-maker, flesh-builder, and nerve tout. builder, and nerve tonic. It cures 98 per cent. of all cases of consumption. It cures wasting diseases and nervous troubles, It wards off disease of every description. Buy "Golden Medical Discovery" of reliable dealers; with tricky ones, something else that pays them better will probable be else that pays them better will probably be offered as "just as good." Perhaps it is for them; but it can't be for you.

"My wife has found great help from Doctor Pierce's Golden Medical Discovery, as, when she takes cold from any cause it generally settles on her lungs, "writes E. James, of Box 281, Brooklyn, Cuyahoga Co., Ohio. "The 'Favorite Prescription' we keep ou hand all the time. It is a wonderful medicine. My wife has great faith in it. By being careful in the way we live and by using Dr. Pierce's medicines when we don't feel just right, we have had to call in a doctor but once in fifteen wars."

A man can't either make money or enjoy life who suffers from headaches, and sleep-lessness, and heart-burn. These troubles are caused by constipation. Dr. Pierce's Pleasant Pellets are a sure, safe, speedy and permanent cure for constipation. They are tiny, sugar-coated granules. One little "Pellet" is a gentle laxative, and two a mild cathartic. They never gripe. Distonest druggists sometimes try to substitute inferior articles for the sake of profit.

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COOK REMEDY CO., Chicago, III.

passing through his head and two entered the left side. His pockets were turned inside out, indicating it was a case of murder with robbery for its object. A short time ago Hop. George Schoot of the control of the c



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HEADQUARTERS REPUBLICAN CITY CENTRAL COMMITTEE, OMAHA, Neb. Pursuant to a resolution adopted at a reg. ular meeting of the Republican City Central Pursuant to a resolution adopted at a regular meeting of the Republican City Central committee, a convention of the republicans of the city of Omaha, Douglas county, state of Nebraska, is hereby called to meet at Washington hali on the 15th day of October, A. D., 1897, at 8 o'clock p. m., for the nurpose of nominating candidates for the following office, to-wit: Five members of the Board of Education, for a term of three years; one member of the Board of Education, for a term of two years, and conserved the Board of Education, for a term of one year.

The representation in said convention shall be as follows: Nine delegates from each ward in said city.

The primaries for the selection of delegates to said city convention will be held on the 18th day of October, A. D., 1897, in the several wards of the city of Omsha, from 12 o'clock noon to 7 o'clock p. m. of said day, at the following places:

First Ward—1795 South Tenth street, Second Ward—Fifteenth and William.

Third Ward—1120 Capitol avenue.

Fourth Ward—207 South Seventeenth siteet.

Fifth Ward—Erfling hall, on Sherman aye-

Fifth Ward-Erfling hall, on Sherman ave-Sixth Ward-Willis block, Twenty-fourth nd Grant streets. Seventh Ward-1314 South Park avenue. Eighth Ward-Twenty-fourth and Cumings street.
Ninth Ward-Twenty-ninth and Farnam streets.
E. J. CORNISH.

Chairman. CHARLES A. ASKWITH, Assistant Secretary,
Dated at Omaha, Neb, this 9th day of
October, 1897. Octio-11-12

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