

NEWS OF INTEREST TO IOWA. COUNCIL BLUFFS.

MINOR MENTION. Davis sells glass. Dr. Bower, Globe bldg. Phone 413. Welshbach burners at Bixby's...

CITY WINS THE FIRST ROUND

Judge Macy Hands Down a Decision in the Robber Case.

MOTION TO OVERRULE IS DISMISSED

Leaves Case Penitentially Where It Was Before Except Mrs. Rohrer Has the Right to Fence Off Her Property.

Judge Macy handed down his decision yesterday morning in the district court in the case of the City Council Bluffs against Mrs. M. F. Rohrer on the motion of the defendant to dismiss the appeal of the city from the award of the appraisers.

In consideration of the motion to dismiss appeal on the part of the City Council Bluffs, from the award of the sheriff's jury, and amendment thereto, it is found by the court that since such award the city has remained in possession of the land sought to be condemned, made improvements thereon and occupied and used the same as a part of the public street, and it is further found that the city has failed to deposit with the sheriff the amount of the award of such jury, it is therefore ordered that the city pay to the sheriff the amount of such award within ten days from this date to pay to the sheriff of this county the amount of such award, and in default of such payment the sheriff of this county is hereby ordered and directed immediately thereafter to direct and dispose of the said city real estate and deliver the possession thereof to said Sarah B. B. Rohrer and make his return hereunder to this court, with the costs and expenses incurred by him, it is further ordered by the court that the motion to dismiss the appeal of the city from the award of the appraisers be overruled, and it is further ordered that this case be taken out of the docket and held for further order and trial on both appeals. In case said city deposits with the sheriff the amount of such award, it is further ordered by the court that the motion to dismiss the appeal of the city from the award of the appraisers be overruled, and it is further ordered that this case be taken out of the docket and held for further order and trial on both appeals. In case said city deposits with the sheriff the amount of such award, it is further ordered by the court that the motion to dismiss the appeal of the city from the award of the appraisers be overruled, and it is further ordered that this case be taken out of the docket and held for further order and trial on both appeals.

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of building the line would be pushed as rapidly as possible it was tax levied on the commence running trains before next spring.

R. P. dance, Hughes' hall, tonight. Whaley's orchestra.

WAS CONTRIBUTORY NEGLIGENCE. Jury in Beck Damage Suit Returns Verdict for Defendant.

The trial of the Beck damage suit against the Omaha & St. Louis railway in the federal court was brought to a close yesterday morning. Judge Woolson sustained the motion of the railway company to take it from the jury and instructed a verdict for the defendant. The motion was based on the grounds that the evidence showed contributory negligence on the part of Beck. The suit was for \$10,000 damages for the killing of Christian H. Beck at Poney Creek crossing, on the defendant company's line, in August, 1898. Fred Beck, administrator of the dead man's estate, was the plaintiff. The only witness to the accident outside the train crew was a man named Damitz, one of Beck's neighbors. Damitz was driving immediately behind Beck and his testimony showed that when Beck noticed the train approaching he whipped up his horses and attempted to cross the tracks ahead of the train. The engine, however, struck Beck and he was killed, while crossing at the same point was struck by a train, his horses being killed and his wagon smashed to kindling wood, but he himself escaped without injury. The jury, however, had been regarded as a most dangerous one and has been the scene of several accidents.

A motion for a new trial was filed in the case of J. A. Flory against Henry & Spence, in which a verdict was returned for the plaintiff in a large case. Arguments on the matter will be heard by Judge Woolson at Des Moines after the adjournment of the term there.

A jury was impaneled in the damage suit of Mattie J. Clark against A. A. Clark and a continuance then taken until next Wednesday morning. In this case Mattie Clark was for \$40,000 damages for an alleged assault. The rest of the trial jurors were dismissed for the term.

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SECOND FIRE AT DES MOINES

Sparks from a Cotton Machine Destroy the Schmidt & Henry Factory.

EMPLOYEES BARELY ESCAPE THE FLAMES

Big Dolliver Meeting Put Off Because of Harlan's Death - Burglars Shatter an Altoona Store - Printers Meet.

DES MOINES, Oct. 6.—(Special Telegram.)—This morning the furniture department of the Schmidt & Henry Manufacturing company was entirely destroyed. The flames originated on the third floor of the big brick building from sparks created by friction in the cotton picking machine. The cotton caught fire like so much gun cotton and within three minutes the entire building was a mass of flames. Over fifty employes, including seven girls, were in the building and barely had time to escape, leaving their street wearing apparel behind. The bookkeepers had just succeeded in thrusting the books into the safe when the flames were upon them and they had to jump through the windows.

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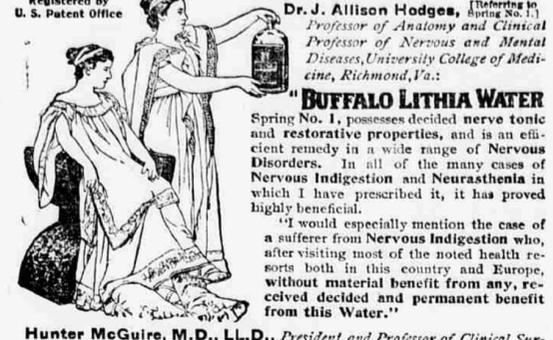


The Anheuser-Busch Dark - A Special German Brew that is mellow, nutritious and palatable beyond any Dark Beer previously placed on the market.

ANHEUSER-BUSCH BREWING ASS'N, St. Louis, U. S. A. Brewers of the Famous Original Budweiser, Faust, Michelob, Anheuser Standard, Pale Lager, Export Pale and Exquisite.

BUFFALO LITHIA WATER The Great American Nerve Tonic Digestive and Restorative

Registered by U. S. Patent Office. Dr. J. Allison Hodges, Professor of Anatomy and Clinical Professor of Nervous and Mental Diseases, University College of Medicine, Richmond, Va.



"BUFFALO LITHIA WATER" Spring No. 1, possesses decided nerve tonic and restorative properties, and is an efficient remedy in a wide range of Nervous Disorders. In all of the many cases of Nervous Indigestion and Neurasthenia in which I have prescribed it, it has proved highly beneficial.

"I would especially mention the case of a sufferer from Nervous Indigestion who, after visiting most of the noted who resorts both in this country and Europe, without material benefit from any, received decided and permanent benefit from this Water."

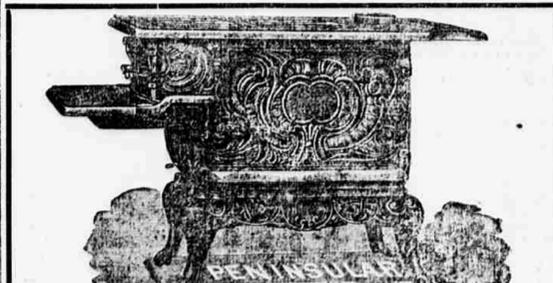
Dr. Roberts Bartholow, M. A., LL. D., Professor of Materia Medica and General Therapeutics in the Jefferson Medical College of Philadelphia, etc. "BUFFALO LITHIA SPRINGS, of Virginia, contain well defined traces of lithia, and are alkaline. It is used with great advantage in Gouty, Rheumatic and Renal Affections. IT IS THE BEST TABLE WATER KNOWN TO ME, AND I HAVE SOME EXPERIENCE OF THEM ALL."

"Both of these Waters are powerful Nerve Tonics and exhilarants, and No. 1 is also a potent Blood Tonic, and is specially indicated in all cases where there is poverty or deficiency of blood."

BUFFALO LITHIA WATER is for sale by Grocers and Druggists generally. Testimonials which defy all imputation or questions sent to any address, PROPRIETOR, BUFFALO LITHIA SPRINGS, VIRGINIA.

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DAVIS SELLS PAINT. SUBCOMMITTEES MEET TONIGHT. WILL LAY FURTHER PLANS FOR THE RECEPTION OF THE VOLUNTEERS. Mayor Jennings, chairman of the local executive committee having in charge the arrangements for the reception of the volunteers, called a meeting of the sub-committees at a meeting this evening at 8 o'clock at the Grand Hotel of the chairman of the various sub-committees. The executive committee is desirous that every chairman be present, as at this meeting the work of each sub