

NEWS OF INTEREST FROM THE COUNCIL BLUFFS.

MINOR MENTION.

Davis sells glass. H. M. Lefert, optician, 236 E. way. Gas fixtures and globes at Bixby's. Magazines, books, Moorehouse & Co. Budweiser beer, L. Rosenfeld, agent. Fine A. E. beer, Neumayer's hotel. Schmidt's photos, new and latest styles. Try Keystone Printing House. Phone 374. You get the best dinners at the Vienna. W. E. Lewis sells monuments, 201 E. way. Scientific optician at Woolman's, 40 E. way.

ENJOINS MOTOR COMPANY

Board of Park Commissioners Goes Into Injunction Business.

ENTRANCE TO FAIRMOUNT BLOCKED

Each Side is Restrained from Doing Anything to Remove the Dirt or Construct a Passable Roadway.

Another link in the litigation between the Board of Park Commissioners and the motor company over the removal of the dirt now obstructing the entrance to Fairmount park was taken yesterday morning, when the board commenced injunction proceedings against the motor company and secured a temporary restraining order enjoining it from removing the dirt. Attorney Hazelton for the board also filed the latter's answer to the injunction suit brought by the motor company against the park commissioners and in which the company secured a temporary order restraining the commissioners from grading down the dirt now in the cut or making a driveway over it.

The park commissioners take substantially the same ground both in their petition and in their answer to the suit of the motor company. They set up that before the dirt fell the cut was so narrow at the bottom that the tracks of the motor company practically occupied the entire breadth of the road and made it useless for any other purpose; that it is impracticable and impossible without the expenditure of a vast sum of money to maintain the cut at its former depth so that the banks be sloped at a reasonable angle. The earth which has fallen has filled the cut at one point to a depth of fifteen feet and the commissioners assert that it can be leveled off and a road made over it which will be at an incline or grade of not to exceed 7 per cent, which will make an easy and practicable roadway either for travel on foot, for ordinary vehicles or for the tracks of the motor company. Further, that by so leveling and filling the cut with dirt which has fallen it will be possible for the banks to be sloped at a reasonable expense, so that they will not cave in. Also that the road can be thus made broad enough to be used by the motor company and the general public and will be a great advantage in going to and coming from the park.

The board states that in contemplation of making this improvement it notified the motor company on May 18 last to remove its tracks from the cut, but that the latter failed to do so. In conclusion it asks that the motor company be restrained from removing the dirt or in any way interfering with the same.

In its answer to the motor company's suit the park commissioners set up in addition to the foregoing that the cut in question is solely within the limits of a public road or highway and is wholly under his control of the park board.

Attorney Hazelton stated yesterday that it was not the desire or intention of the park commissioners to remove the dirt or to remove its tracks from the cut. At the same time Mr. Hazelton failed to explain how the motor company could reach its tracks, which at present lie buried beneath the mass of fallen dirt, unless permitted to remove the dirt or the temporary injunction secured by the park commissioners yesterday restrains the motor company from doing so.

No date for the hearing was fixed by the court, although Attorney Hazelton asked that it be set for as early a date as possible.

Water Bills. Pay now and save 5 per cent. Office open Monday and Tuesday evenings.

High School Site Middle Open. Oakland Avenue People Will Sue for Purchase Price of Property.

Attorneys for the owners of the Oakland avenue property twice selected by the Board of Education as a site for the new high school building state that the suit to remove its tracks from the cut, but that the latter failed to do so.

The price agreed upon was \$8,000 and for this amount suit was brought, but in addition the suit was for the right to build the new school there, as at the time that the bonds were voted the proposition contained the proviso that the old high school building should be retained for a school and attorneys say that the grounds go with the building.

It has been suggested as a solution of the question that the board purchase the property at the head of Willow avenue belonging to the Folsom estate and then grade down the high school grounds adjoining and this would give the new high school a splendid grounds both in front and rear. It is understood that at least three of the members of the board are in favor of this plan. The next regular meeting of the board will be held on Tuesday, July 17.

Howell's Anti-Kawf cures coughs, colds. Pay now and save 5 per cent. Office open Monday and Tuesday evenings.

Now for the Prize. This is the last day for the girls in the vacation contest to declare the race for the opera glasses given by Mr. Wolfman.

It will be a pretty lively day for voting is evident from the outside surface of the hall-ways east yesterday on the eve of the battle royal. The prize is well worth contending for and the one who works the hardest will come out victorious. The prize is on display in the show window of Mr. Wolfman's store. Remember that the ballot box will be closed promptly at 5 o'clock this evening.

Notice to Star Collectors. Our new books, containing a larger list of stars than ever, will soon be out. After July 15 we will strictly enforce the provisions of our books and only return full books of stars. Detached pages or books in which pages are inserted will not be redeemed, so do not mutilate your books. Our premium stores have been imposed upon by persons continually running in with small orders and we are now compelled to strictly enforce the full book rule.

Premium Star Company. Train Runs Over Child. BOONE, Ia., July 6.—(Special Telegram.)—This evening a child was playing around a gravel train as daughter of Mrs. Eva Phipps, 9 years old, in attempting to get a ride fell on the track and the wheels ran over her leg, crushing it so that amputation was necessary. She was taken to the city hospital, where the leg was amputated. It is feared she cannot survive.

Body of Unknown Found. CLINTON, Ia., July 6.—(Special Telegram.)—The section men on the Northwest railroad found the remains of an unknown man near Okmooch this afternoon lying in the high grass. As several murders have been committed in this vicinity foul play is suspected. The man was evidently

murdered in some manner, as he was badly and bruised. The man had been dead for three days.

Wisconsin Visited by Storm. ELY, Wis., July 6.—(Special Telegram.)—A high wind, rain and hailstorm, accompanied by a high wind, passed over this city this afternoon. The rain fell in torrents. Hail stones were picked up which measured twelve inches in circumference and weighed over eight ounces. Corn and small grain were cut to pieces. The loss is heavy. The Baraboo river is rising and a flood is threatened.

Animals Killed by Storm. AVOCA, Ia., July 6.—(Special Telegram.)—This afternoon about 4 o'clock witnessed the heaviest rain and windstorm of the season. Three miles north crops are damaged by hail. The barn of Soren Rold, four miles northeast, was blown down, killing eight horses. Three cows belonging to Jack Brunskill of this place were killed by lightning.

Child's Feet Are Cut Off. FORT DODGE, Ia., July 6.—(Special Telegram.)—While playing in the streets of the town of Garner the little son of Matthew Becker, a prominent citizen, had both feet cut clear off above the ankles by a man who was mowing weeds. The parents are paralyzed by the accident and the child's life is despaired of.

Convicts Escape from Jail. CLINTON, Ia., July 6.—(Special Telegram.)—Three men arrested about two weeks ago at Dubuque charged with holding up a Milwaukee train near Bellevue escaped from the jail at Maquoketa. They were indicted by the grand jury a few days ago.

South Omaha News. One of the needs of the reorganized police station, which is a general thing in Omaha and other cities. This subject was brought to the attention of the city council a couple of years ago by John C. Carroll, then chief of police, but for lack of funds the project was abandoned.

Resolved, That we take no action in the matter until the governor shall have completed the investigation of the case. The Herriott resolution, which was voted down, was as follows:

Resolved, by the executive council, That a committee be appointed to examine the books and records of the office of the clerk of the supreme court of the United States and to ascertain the exact amount of fees received by said clerk for the year ending August 25, 1900, and to report thereon to the executive council.

Resolved, That the exact amount of those fees received by the clerk of the court to the treasurer of the state "charged and uncollected" which under sections 285 and 421 of the code should have been collected by the clerk and accounted for to the treasurer, be ascertained and reported to the completion of its examination shall report its findings to the executive council.

Fort Madison Goes to Camp. The company at Fort Madison, Mo., the Fifteenth, be mustered out tomorrow because it refused to be inspected, and the Burlington company mustered in its place.

Perry has been selected as the place for holding the encampment of the Fifty-second regiment, Iowa National guard. Colonel Perry has issued an order that the camp will be between August 18 and August 25, while Adjutant General Byers has issued an order that it shall begin August 25.

The legislature in making the appropriations for the Cherokee asylum made the mistake of placing the appropriation date instead of "on or after." This makes the whole \$360,000 available now, if the Board of Control wishes it, and Treasurer Herriott does object, which he probably will, for it was the intention of the legislature to have the money available after May 1, 1901, and \$50,000 available each on May 1, 1902, and November 1, 1902. It was a case of oversight on the part of the appropriation committee.

The State Board of Control has issued a notice to the Cherokee asylum that it must pay for the asylum on or after August 25, 1900, and a minute for 365 days every ordinary year and 366 days on leap years. It desires persons who want to dig a well of this description, which will have to be deep, of course, to apply bids to be heard immediately. The well will be subject to a three days test.

JONES' FEE CASE REFERRED

State Executive Council Passes it Up to Governor Shaw.

INVESTIGATION IS WELL UNDER WAY

Governor is Conducting a Strict Inquiry into the Affairs of the Clerk of the Supreme Court.

DES MOINES, July 6.—(Special Telegram.)—The state executive council today referred the Jones fee controversy to Governor Shaw to investigate; rather, it referred to him on account of its knowledge of the fact that he was already investigating. Treasurer of State Herriott introduced a resolution providing for the appointment of a committee of the council to make the investigation. Secretary Dobson suggested that courtesy would indicate that as the governor was engaged in this business, he should be allowed to finish it. To this he introduced a substitute resolution which was adopted by a vote of 3 to 1. Treasurer Herriott voting in the negative. This substitute resolution follows:

Whereas, The alleged misconduct in the office of the clerk of the supreme court, has been formally brought to the attention of the executive council and is a matter which the executive council of the state has at least concurrent jurisdiction; and

Whereas, The governor of the state has the matter under consideration; therefore be

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