

NEWS OF INTEREST FROM IOWA. COUNCIL BLUFFS.

MINOR MENTION.

Davis sells drugs. Stocker sells lace curtains. Fine A. H. C. beer, Neumayer's hotel.

QUESTION MOTOR FRANCHISE.

Opponents Ask That Courts Declare Its Operations Void.

INVOLVES RIGHT TO USE THE STREETS.

If Suit is Successful Cars Will Be Found to Be Running Illegally Over Many Thoroughfares—Litigation is of Serious Nature.

The motor company, by its absorption of the suburban line, has fallen heir to more litigation of a serious nature. Suit was begun in the district court yesterday.

The suit began yesterday is of vast importance to the motor company, as should it be decided against it and the suburban company's charter held to be null and void the motor company will be in the position of being without a franchise to several of the streets on which it is now operating.

Permission to institute the action in the name of the state was granted to Forsyth yesterday by Judge Wheeler of the district court on a showing made by the former that he had applied to the county attorney to bring suit to vacate the franchise, but that he had refused to do so.

These are named as defendants: The Omaha, Council Bluffs & Suburban Railway company; the Omaha & Council Bluffs Railway and Bridge company, Nebraska corporation; the Omaha & Council Bluffs Railway and Bridge company, Iowa corporation.

The granting of a franchise in December, 1897, to the Council Bluffs, Lake Manawa & East Omaha Construction company, after the citizens of Council Bluffs a special election had voted in favor of it, is familiar history. This is set forth in the petition filed by Forsyth, also the facts of the transfer of such franchise to the suburban company. It is also recited how the city council in July, 1900, passed a resolution giving its consent and approval to the selection of a number of streets named in this franchise by the suburban company.

After referring to the action of the city in approving of the selection of these additional streets, the petition recites: "That thereafter the putative and pretended stock of the Omaha, Council Bluffs & Suburban Railway and Bridge company, assigned to the stockholders of the old motor company; that prior to the said pretended issuance or assignment there had been constructed on the streets designated in the franchise to the Council Bluffs, Lake Manawa & East Omaha Construction company tracks on Avenue C from Sixty-eighth street to Thirtieth street; Twenty-third street from Ninth avenue to the south city limits, but that after said pretended issuance and assignment said tracks were torn up and abandoned."

Continuing, the petition enumerates the streets on which the motor company is now operating and alleges that large numbers of these thoroughfares are not the streets covered by the franchise granted the Omaha & Council Bluffs Railway and Bridge company, but are the streets named in the franchise of the Suburban company.

The allegation is made that the franchise to the Council Bluffs, Lake Manawa & East Omaha Construction company is void and of no effect for that the franchise was granted to a corporation of and by the name of the Council Bluffs, Lake Manawa & East Omaha Construction company, and neither at the time of granting the franchise nor at any time since then has there been any such corporation, and the only corporation having such name was the voluntary association, or copartnership, formed by Charles R. Hannan, Emmet Tinley and others. It is further alleged that for this reason the city council had no right to grant the franchise, even though the people did vote in favor of it. Another allegation is the contention that the franchise is null and void in that the provisions of the charter were not lived up to by the grantee.

Continuing, the petition alleges that the city council had no right or authority to pass the resolution approving the selection by the Suburban company of additional streets in July, 1900. Reference is made to the holding of the supreme court that the fifty-year franchise granted to the old motor company was invalid.

In conclusion, the petition asks: "That the pretended ordinance passed by the city of Council Bluffs in December, 1897, granting franchises to the Council Bluffs, Lake Manawa & East Omaha Construction company be held and adjudged void and of no effect, and that the same judgment be passed against the pretended resolution of the city council in July, 1900, and that the pretended franchise and rights claimed thereunder be held void and annulled and that the attempted exercise of said franchise by each of the defendants, and the pretended issuance or assignment to the stockholders of the Nebraska and Iowa corporations of the pretended stock of the Omaha, Council Bluffs & Suburban Railway company be held and declared illegal, fraudulent, void and contrary to public policy, and that the franchise thereby attempted to be secured and held by the defendant corporation be annulled and held for naught and for such further orders of the court as may be necessary to protect the public and the petitioner against the void, wrongful and illegal assumption of the powers of the franchise claimed and attempted to be exercised by the defendants."

EMIL ELSHEIMER IS DISCHARGED. No Evidence to Connect Him with Switch Engine Crime. The preliminary hearing of Emil Elsheimer, charged with running a North-western switch engine into the pit at the turntable at the roundhouse, was completed yesterday afternoon before Judge Aylesworth in the superior court. Elsheimer

HONESTY PAYS A CONVICT.

Gustav Hamann of State Penitentiary Expects Pardon for Return of Purse.

COMPANY A TO BE REORGANIZED.

Catholic Order of Foresters Convened at New Hampton—State Bicycle Meet to be at Burlington Next Month.

(From a Staff Correspondent.) DES MOINES, June 13.—(Special.)—Gustav Hamann, a convict in the state penitentiary at Anamosa, from Louisa county, has found the honesty path, even behind prison walls. He was sentenced to one year in the penitentiary for seduction two months ago. He was set to work hauling garbage from the prison to the prison farm and was given a great deal of liberty, owing to the fact that he was in for a short time and would not likely try to escape with such a brief sentence over him. A few days ago as he was driving along the road he found a pocketbook which contained a sum of money and a certificate of deposit for \$557.77. It belonged to a woman in Anamosa. The boy turned the property over to the warden at once and it was delivered to the owner. Warden Hunter has reported it to the State Board of Control, which board will place it before the governor and a pardon or parole is expected to follow.

Company to be Reorganized. Governor Shaw has directed that permission be given the people of Des Moines to reorganize the Company A, Fifty-first regiment, which has been ordered disbanded on account of deficiency in drill. The company as at present organized on inspection showed up so badly that it was ordered disbanded. But Des Moines people have prevailed upon the governor to allow the company to be reorganized with all the present officers retained. It is the oldest organized militia company in the state and the name and letter will be retained here. An application was received from the town of Runnells, of 400 people, in this county, to take Des Moines' place in the guard.

Will Go to India. Word has been received here that Prof. and Mrs. Loughbridge, well known in Iowa, will soon go to India to engage in missionary work under the Baptist Mission board. They were formerly connected with the Iowa State Normal school at Cedar Falls, where Prof. Loughbridge accepted the chair of Latin, but three years ago resigned to accept a position in Bishop's college, Marshall, Tex. They are both graduates of the state university and have had experience in mission work, having been stationed in India for several years.

Change in Educators. Prof. E. U. Graf of Red Oak, who was recently elected to the position of superintendent of the schools of that city, will not accept, but will go to Marshalltown, where he has been elected principal of the High school of that city at an advanced salary. Prof. Graf had been elected as superintendent of the Red Oak schools after having served as principal of the Red Oak High school three years. He will succeed Prof. MacCowan at Marshalltown.

New Corporations. The Drevsville Schuetzen Gesellschaft of Drevsville, Ia., was incorporated with the Iowa State Normal school, with a capital of \$1,000. August Meubis is president and Henry Ocker secretary.

The incorporation of the Des Moines, Nevada & Eldora Electric Railway company has been completed. This is a Des Moines company, with a capital of \$50,000. Incorporators, J. S. Polk, W. F. Swayze, F. C. McCall, A. King, W. O. Payne and J. W. Smith.

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John McKenna is Missing. John McKenna of 912 Seventeenth avenue has been missing from his home since Thursday. McKenna was employed at the Union Pacific coal chutes. Thursday he drew his time check, amounting to \$29. He failed to return home that evening and nothing has been heard or seen of him since.

Murdered Farmer Found in the Road and Another Body Discovered in River. OTTUMWA, Ia., June 13.—(Special.)—The body of Frank Bennett, a farmer sixteen miles south of this city, was found in the middle of the road near his home with his brains blown out at 11 o'clock Tuesday night. The last seen of Bennett was about 7 o'clock, when he was wearing a ladies' gold watch, a new revolver and a small sum in money which was taken from a drawer in the sideboard in the dining room. Here, as at the Rawlings residence, the thieves failed to disturb the silverware.

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ments of the state board with regard to the number of citizens to be not complied with.

State Bankers' Association. President E. D. Huxford of Cherokee presided at the state convention of the Iowa Bankers' association in Cedar Rapids. The report of Secretary J. M. Dinwiddie of Cedar Rapids showed 162 members paying. The creation of a fund to prosecute criminals has resulted in a diminution in the number of crimes against banks and bankers. Today an address was delivered by Judge Deemer of the supreme bench and one by State Bank Examiner Bennett of Sioux City. Senator Doolittle in a lengthy address before the bankers warned them against the tendency of the country. He said that business is moving too fast and is moving on toward chaos. He declared it to be the duty of the bankers to check this tendency and prevent calamity.

These officers were elected: C. B. Mills of Sioux Rapids, president; Charles Paschee of Davenport, vice president; L. F. Potter of Harlan, treasurer; J. M. Dinwiddie of Cedar Rapids, secretary. The convention adopted resolutions condemning the present revenue laws and also the bankruptcy laws.

Heathcote Held to Grand Jury. Elijah Heathcote was in police court this morning, where he waived preliminary investigation and was held to the grand jury under \$2,000 bonds. The information was for assault with intent to kill his wife, Mrs. Heathcote is still alive.

BREAKS NECK IN BALL GAME. Fred Evans of Sergeant Bluff Killed as Result of Collision in Stiding for Base.

SIoux CITY, Ia., June 13.—(Special Telegram.)—Fred Evans died at Sergeant Bluff last night from a broken neck, sustained in a ball game between the Sergeant Bluff team and the Sioux City High school team on April 11. He was 24 years of age and leaves a wife and child. He was a druggist, and his father, Ed Evans, was formerly superintendent of the Woodbury county poor farm. The funeral was today.

NOMINATIONS AT WOODBURY. Republicans Name Sweeney and Willet for Representatives—Barret is Defeated.

SIoux CITY, Ia., June 13.—(Special Telegram.)—Woodbury county republicans today nominated the following ticket, which is practically certain of election: Representatives, M. J. Sweeney and John T. Willet; treasurer, John A. Magoun; sheriff, C. W. Jackson; coroner, Dr. C. M. Wade; superintendent of schools, E. A. Brown; surveyor, M. Helmberg. All are from Sioux City, except Willet, who lives at Otamowiss. Barret, at present representative from Sioux City, was defeated for the nomination. Magoun has served four terms as treasurer.

HIS BODY IS CUT TO PIECES. John Brode of Dubuque Falls Under Wheels of Great Western Train.

DUBUQUE, Ia., June 13.—(Special Telegram.)—John Brode, who was working in East Dubuque, was killed by the head end of a Chicago Great Western train at the mouth of the tunnel, but fell under the wheels and was dragged a considerable distance into the tunnel. When picked up his legs were cut off at the trunk, his skull crushed and his body mangled. Death had resulted almost instantly.

STATE LOG ROLLERS GATHER. Woodmen of the World Assemble at Atlantic—Omaha Contingent Attends.

ATLANTIC, Ia., June 13.—(Special Telegram.)—Today was the first day of the state log rolling of the Woodmen of the World. Large crowds have been coming all day, although tomorrow is the big day. Five thousand people are expected. J. C. Root and contingent of the head camp at Omaha arrived tonight, after being delayed by the wreck near Walnut. Tomorrow there will be a parade and contest among the teams and sports of various kinds.

SURVEY FOR THE NEW BRIDGE. Northwestern Contemplates Building Immense Structure Across the Mississippi at Clinton.

CLINTON, Ia., June 13.—(Special.)—Engineer Armstrong of the Chicago & North-western Railway company is in the city and will begin at once the preliminary survey for a new double track bridge to be built across the Mississippi river at this point. It will take between two and three years to complete the bridge, which will be one of the strongest railway bridges in America.

Rain Washes Out Corn. OAKLAND, Ia., June 13.—(Special.)—The heavy rain of Sunday night caused considerable damage to corn by washing it out and covering it up. Much replanting will be necessary. Many had already replanted, by reason of the cut worm and wire worm, which had destroyed the corn in large extent, especially on new clover land. The winter, although quite mild, killed a considerable amount of clover, and quite an area of the same was planted to corn. Small grain and pastures are doing well, although the delayed rains were long needed before they came. Tame hayfields are in head, with a short straw, making the probable yield of hay quite light. Farm lands in Pottawattamie county are still on the upward scale, \$60 to \$65 an acre being a common selling price, with few for sale even at that. The fruit prospects are excellent, small fruit being in full yielding condition. A few pieces of winter wheat, of which there is not very much in Pottawattamie county, are in head and look remarkably well.

President Sweeney Given Degree. CEDAR FALLS, Ia., June 13.—(Special.)—The board of regents of the State university at Iowa City yesterday voted to bestow the degree of LL.D. upon President Homer H. Sweeney of the State Normal school here, who graduated from the university in 1878. The degree was conferred this morning.

W. S. Hathaway Seriously Ill. ONAWA, Ia., June 13.—(Special.)—William S. Hathaway, father of ex-Representative Hathaway of Onawa, is dangerously sick at his home in Kennebec township. He is 84 years old and is not expected to live. He is a pioneer of Monona county and came here in 1855.

Work on Clinton Federal Building. CLINTON, Ia., June 13.—(Special.)—Work has begun by Sanger & Son, contractors, on the new \$120,000 federal building located in this city. By the terms of the contract the building is to be ready for occupancy inside of a year.

Jap Rose is transparent. Made of pure vegetable oil and glycerin, perfumed with roses. The best toilet soap that skill or expense can make. Don't pay more and get less.



For over half a century the Kirks have made fine soaps, and Jap Rose is their idea of perfection. 'Tis the best soap that is sold. Yet it sells for 10c.

LOCHINVAR FROM IOWA \$5.00 A MONTH SPECIALIST

G. A. Peterson of Mount Etna Takes Eride from Another Groom. OLD PLEDGES OF LOVE REAWAKENED. He Who is Summoned as Guest Wins Back His Old Sweetheart Almost by the Very Steps of the Altar.

LEADVILLE, Colo., June 13.—(Special Telegram.)—Miss Irene Wood, a well known and pretty school teacher of Leadville, who has for several years taught at the Seventh street school, was to have been married next Sunday night to Jesse Irons, a prosperous young mining man of Aspen and Thomastown. Miss Wood, however, eloped with a former friend and was married and has gone to her old home in Iowa to live.

When the couple issued invitations for the wedding a few weeks ago, Miss Wood mailed one to G. A. Peterson of Mount Etna, Ia. Peterson is a wealthy farmer of that place, which was formerly Miss Wood's home, and where they grew up together. Instead of writing congratulations to Miss Wood, Peterson took the first train for Leadville. The result was that former pledges of love were renewed and Miss Wood agreed to marry him. In the meantime Irons thought he would like to pay a visit to his fiancée, so he came to Leadville. She showed the telegram to Peterson and fearing the wrath of an enraged lover they decided to leave for Denver at once. The couple left on the noon train Sunday and Irons arrived in Leadville a few hours later. He found that the couple had gone to Denver and that they were married in Denver Monday morning. It was not until this morning that the facts became known here. Some stiverware was sent in marked "I. W. L." standing for Irene Wood Irons. It was then explained that the last initial should be P.

NO TORNADO AT IRONWOOD

Reports that it Had Been Destroyed Are Entirely Without Foundation. MARQUETTE, Mich., June 13.—Advices from Ironwood, Mich., state that the reports of a tornado in that town are incorrect.

TO MEET NEXT IN KENTUCKY

National Association of Credit Men Select Louisville as Scene of Future Convention. CLEVELAND, O., June 13.—The National Association of Credit Men today decided to hold the next year's convention in Louisville, Ky. Reports of committees and discussions on the same occupied the day.

Barn Burns Near Ft. Dodge.

FORT DODGE, Ia., June 13.—(Special Telegram.)—A large barn belonging to John Carroll, one mile north of Fort Dodge, burned this evening. The barn contained three horses and a large amount of grain and machinery, which was destroyed. The fire originated in the hayloft and is believed to be of incendiary origin. Other property was not insured.



It's impossible for you not to, with the color of seventy years in your hair! Perhaps you are seventy, and you like your gray hair. And perhaps not! Dark hair for youth and vigor; gray hair for old age and decline. If you will use Ayer's Hair Vigor, in less than a month there won't be a gray hair in your head. It keeps the scalp free from dandruff, stops falling of the hair, and makes it grow thick and long. One dollar a bottle.

Dr. Mc Crew Specialist. DISEASES OF MEN ONLY. Various and unusual Weaknesses, Cures Guaranteed. Charges Low. Hours: 8 a. m. to 8 p. m. Sundays, 8 a. m. to 2 p. m. 103 Rock street, between 14th and 15th streets, Omaha, Neb.

MONEY REFUNDED. We refund money to anyone who is dissatisfied with our results. THE BEE WANT ADS PRODUCE RESULTS.

Mac Hanchett is home from the Chicago university to spend the summer. Charles Sixth street.

The case against Andrew Jensen, John Plant and Charles Decker, charged with illegal fishing in Big Lake, was dismissed in police court yesterday morning.

The funeral of Anna Lou, infant of Mr. and Mrs. J. W. Smith, 105 Second avenue, who died Wednesday, will be held at 10 o'clock tomorrow at St. Joseph's church.

Mrs. Rozetha Stoker filed original notice in the district court yesterday for a divorce from Joseph J. Stoker and for the custody of their minor daughter, Rozetha.

Two cases of Justice Perrier this morning. The first was a case of Justice Perrier this morning. The second was a case of Justice Perrier this morning.

Wishing to retire I am offering for sale my entire business, including stock and fixtures, with all improvements. For particulars inquire of Thomas Kishon, 248 West Broadway.

For Sale—My residence at 323 South First street. Modern plumbing, heated with hot water, electric lights, built to live in, with all the appliances of an up-to-date home. J. C. Dixley, 323 South First street.

Misses Minnie and Lizzie Drake will leave this morning to fill an engagement with a traveling musical organization. They will appear first at Eagle Grove and then tour the principal cities of the state.

James Wickham received yesterday on a writ of relief issued from Justice Bryan's court the St. Bernard dog, which he alleged was being unlawfully detained by Jack Steele at Neola, Ia.

J. W. DeWitt, the Harrison county farmer, charged with the murder of a child, five head of cattle belonging to Henry Grobe of James township, is slated for a preliminary hearing before Justice Perrier this morning.

Thomas Clark, who returned to this city yesterday after a two-day absence, filed an information before Justice Perrier against William W. Schaefer, Charles Stephan and Thomas Ratliff for maintaining a gambling place at Lake Manawa.

The funeral of William J. Almy will be held at 10 o'clock tomorrow at St. Joseph's church. The services will be held at 10 o'clock tomorrow at St. Joseph's church.

George H. Mayne filed in the county recorder's office yesterday a plat of Oakland place, being the property of Henry Grobe, originally selected by the Board of Education for the site of the new high school. The plat has been divided into ten lots.

The infant daughter of Mr. and Mrs. Homer Case, 302 South Eleventh street, died yesterday afternoon. Rev. Calfee, pastor of the Episcopal church, officiated at the funeral services at the house tomorrow morning at 2:30. The body will be taken to Glenwood, Ia.

Henry Barker of Red Oak was bound over to the federal grand jury yesterday by Commissioner of the Missouri state of bootlegging. In default of \$200 bail he was committed to the Montgomery penitentiary at Red Oak. A warrant was made by Deputy United States Marshal Bill Richards.

D. B. Warren of Garrettsville, O., is guest of Sheriff Cousins, Captain Cousins and Mr. Warren at the property of Henry Grobe in Mr. Warren's first visit to this city since 1881, the year of the big flood. He trekked to California in 1882, and returned to this city. He is on his way to Colorado to look after his mining interests.

N. Y. Plumbing Co., telephone 250. THREE OMAHA LADS ARRESTED. They Admit Stealing Bicycles and Other Goods from Two Cities. Mickey Taggart, the boy who stole the goat, and two young lads from Omaha are under arrest at the city jail. Mickey's companions are Oscar Vallien and Fred Morrow. Vallien is the oldest of the three. They were arrested yesterday afternoon by Officer Callaghan, with a wagonload of junk, the greater part of which they had stolen from back porches and yards. Vallien was arrested while trying to steal a bicycle which he admitted later he had stolen from a house near Hancock park, Omaha. The boys on being put in the wagon confessed to being responsible for almost all of the thefts of bicycles which have been committed in this city since April 1. They informed the police where they had disposed of the wheels in Omaha, and implicated several other boys. Taggart is the lad who stole the brass mountings from the gatling gun of the Omaha Guards, and boasts of having been in jail in Kansas City, St. Joseph, Chicago and now Council Bluffs. The wagon they had with them is the property of Henry Grobe at Thirty-sixth and Franklin streets, Omaha, who, they say, gave them \$1 with which to buy junk. A pair of rubber boots, a copper washbowl, a bicycle pump and a copper hose nozzle found in the wagon have been identified by the owners. Taggart and his companions say they have been making weekly trips to Council Bluffs, when they never failed to steal a bicycle or two. The thefts of sixteen wheels have been reported to the police since April 1, and it is believed the boys are responsible for them all. The three lads live in the northwest part of Omaha.

Davis sells paint. Real Estate Transfers. These transfers were filed yesterday in the abstract, title and loan office of J. W. Squire, 101 Pearl street: D. W. Oils with the property of Henry Stuart, lot 1, subdiv of Original plat, lot 8, w. d. \$1,000. J. P. Greenhouse and wife to Winfield Woodward, lot 1, Auditor's subdiv, n. w. 1/4, sec. 18, t. 43, r. 43, w. d. 4.75. Nathaniel Sherwood to Lake Manawa Land company, 21 acres in n. w. 1/4, sec. 44, q. 4, d. 1. Lake Manawa Land company to Nathaniel Sherwood, 12 acres n. w. 1/4, sec. 11, t. 44, w. d. 1. Total four transfers \$4,827.

Marriage Licenses. Licenses to wed were issued yesterday to the following: Name and Residence. Age. John P. Greenhouse, Council Bluffs, 19. Nellie Toote, Council Bluffs, 19. Charles Horton Coye, Carson, Ia., 22. Lella M. Mitchell, Macdonald, Ia., 21. John P. Rheam, Glenwood, Ia., 28. Fidelia R. Hinton, Glenwood, Ia., 21. W. Crisman, Council Bluffs, 21. E. Simpson, Council Bluffs, 21.

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