

NEWS OF INTEREST FROM AROUND THE CITY.

COUNCIL BLIFFS.

MINOR MENTION.

Davis sells drugs. Stockert sells carpets and rugs. Metz beer at Neumayer's hotel.

OBJECT TO REDISTRICTING

Republicans of Pottawattamie Want to Cling to Ninth.

SCHEME FOR CONGRESSIONAL ASPIRANTS

Smith and Hepburn Left Out of the Calculations and Their Friends Are Decidedly Opposed to the Plan.

The plan now being incubated in the interests of certain of the present territorial congressional districts of Iowa will be strongly opposed by the republicans of Council Bluffs and Pottawattamie so far as the proposal to cut Pottawattamie out of the Ninth district is concerned.

The plan in course of incubation is to construct a new Eleventh district out of the north halves of the present Tenth and Eleventh. It is to consist of Lyon, Sioux, Osceola, O'Brien, Dickinson, Clay, Emmet, Palo Alto, Kosciusko, Winnebago and Hancock counties, making a population of about 210,000.

The new Tenth district is to be constructed, provided the plans for the Eleventh, out of the remainder of the Eleventh district and two counties of the Tenth. This will include Plymouth, Cherokee, Buena Vista, Sac, Ida, Woodbury, Monona, Crawford and Carroll counties.

The new Ninth district is to be reformed so as to cut out Pottawattamie and be to consist of Harrison, Shelby, Audubon, Guthrie, Dallas, Madison, Adair and Cass counties.

By this scheme Pottawattamie would be placed in the new Eighth district, which would include Des Moines, Montgomery, Adams, Union, Ringgold, Taylor, Page and Fremont counties.

The feeling among republicans in Council Bluffs and Pottawattamie county is that the scheme to redistrict Iowa, so far as this section of the state is concerned, is not in the interests of Congressman Smith nor Congressman Hepburn, but in the interests of others who have aspirations to go to Washington.

Should the plan come before the state legislature at its next session, and advice from Des Moines as to the effect that it undoubtedly will, it will be bitterly opposed by the representatives from this county.

Congressman Smith was asked what he thought of the proposition and he said he had not had time to give it much attention. He declared that as far as he was personally concerned he was satisfied with the makeup of the Ninth district as it is at present.

These counties comprise the Ninth district at present: Adair, Audubon, Cass, Guthrie, Harrison, Mills, Montgomery, Pottawattamie, Shelby.

The reapportionment bill, as it will be termed, it is said, will have other opposition than that of Pottawattamie county, and leading republicans of this county earnestly hope it will go down in defeat if introduced.

Gravel roofing. A. H. Read, 541 Broadway.

DOYLE CASE IN JURY'S HANDS

Big Mining Suit at Last Reaches Stage Where Verdict is Considered.

The big mining suit of James Doyle against James F. Burns, president of the Portland Gold Mining company of Colorado, which has been on trial before Judge Green in the district court since November 12, went to the jury yesterday afternoon at 2:30 o'clock.

Mr. Baldwin concluded the closing argument for the plaintiff at 2:30 o'clock, when a short recess was taken, before the court read his instructions to the jury. Judge Green occupied about an hour in reading his instructions. Only eight special interrogatories were presented to the jury.

First. Did the plaintiff and the defendant enter into a contract on or about March 1, 1892, by which the plaintiff traded to the defendant a half-interest in the Portland gold mine, and the defendant agreed to pay to the plaintiff a certain sum of money, and to give to the plaintiff a certain interest in the Portland gold mine?

Second. Were the plaintiff's interest in the Portland gold mine and the defendant's interest in the Portland gold mine, at the time the plaintiff traded to the defendant a half-interest in the Portland gold mine, of equal value?

Third. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Fourth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Fifth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Sixth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Seventh. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Eighth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Ninth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Tenth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Eleventh. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Twelfth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Thirteenth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Fourteenth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

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Sixteenth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Seventeenth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Eighteenth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Nineteenth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Twentieth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Twenty-first. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Twenty-second. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Twenty-third. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Twenty-fourth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

Twenty-fifth. Did the plaintiff own an interest in the Portland gold mine at the time the defendant traded to the plaintiff a half-interest in the Portland gold mine?

DRUGGIST HELD NOT LIABLE

Adult Purchasing Dangerous Substances Runs His Own Chance.

CASE OF LET THE BUYER BEWARE

Criminal Cases Decided Against Persons Making the Appeals—Chief Justice Given Retires from Bench.

(From a Staff Correspondent.)

DES MOINES, Dec. 20.—(Special.)—The Iowa supreme court today decided one case which the court said was entirely without precedent, and laid down a general rule in regard to liability of a person in selling dangerous articles to an ignorant person.

William H. Gibson of Iowa Falls sent to W. H. Finch, a druggist of Dubuque, an order for 50 cents worth of phosphorus. It appears that Gibson was going to invent or manufacture something with phosphorus in it, but he really knew nothing about the qualities of the stuff, and when he received it he was severely burned. He sued the druggist, claiming that he was ignorant of the properties of the substance, and therefore it was the duty of the druggist to give him instructions how to use phosphorus.

The court finds no similar case in all the books, but decides that the druggist was not liable. The finding is that with a person who has reached the age of discretion and who is apparently in the possession of his mental faculties, applies to a druggist for a certain drug he represents to the dealer by implication at least that he knows its properties and uses and that he is fit to person to handle the substance.

There is something connected with the transaction indicating that the purchaser cannot be entrusted with the drug, there is no obligation to explain its properties or issue a warning. Gibson was badly burned with the phosphorus and sued for heavy damages.

Criminal Appeal Cases.

Several criminal cases were decided by the supreme court, all against the persons making the appeals.

In the case of John W. Booth of Howard county, who was convicted of perjury, he had sworn out a warrant for the arrest of a man and it turned out that the statements were false. Charles H. Newhouse of Monroe county was convicted of the larceny of \$600, but his appeal on technicalities was not availed. Charles Moore appealed from Taylor county from conviction for adultery, but the supreme court found no fault with the record. Thomas Mulholland appealed from Clinton county from conviction for seduction, but the lower court record was found to be all right.

Following are the decisions: Eugene Lasher against Union Central Life insurance company, appellant; Hamilton county, respondent; no error on mortgage; reversed.

Gaircott & Co. against E. W. Nichols, appellant; Nichols county, respondent; no error on property; affirmed.

State against John A. Eberhart, appellant; Black Hawk county, respondent; affirmed.

State against Chicago Great Western railway company, appellant; Fayette county, respondent; affirmed.

T. F. Butterfield against J. W. Kirtley, appellant; Clinton county, respondent; affirmed.

Prof. Westerman against Charles Brooks, appellant; Madison county, respondent; affirmed.

State against John W. Eberhart, appellant; Dubuque county, respondent; affirmed.

State against Charles Newhouse, appellant; Dubuque county, respondent; affirmed.

Oxford State bank, appellant, against Herman Holscher; Johnson county, respondent; affirmed.

J. A. Petty, appellant, against Hayden Bros. & Co.; Lee county, respondent; affirmed.

Mathias Kitzman, appellant, against George Kitzman; Mahaska county, respondent; affirmed.

P. E. Hall of Lee county, appellant, against John W. Booth; Boone county, respondent; affirmed.

W. M. Gibson, appellant, against W. H. Finch; Dubuque county, respondent; affirmed.

State against Charles More; appellant; Taylor county, respondent; affirmed.

State against Thomas Mulholland, appellant; Madison county, respondent; affirmed.

State against John W. Booth, appellant; Boone county, respondent; affirmed.

State against John W. Booth, appellant; Boone county, respondent; affirmed.

Chief Justice Given Retires.

On filing the decisions in court today the session was brought to an end. Chief Justice Given announced that he had finished his work and will not longer sit with the bench. Before the January term begins Judge Sawyer will be sworn in. Last evening Judge Given gave a farewell dinner to his associates and on retiring this afternoon his friends in the state house presented him with a handsome ebony walking stick, made from a piece brought from the Philippines.

Transfers of School Funds.

The state auditor today transferred from Polk county to Winnebago county \$8,000 of the permanent school fund and will tomorrow transfer from Polk county \$4,000 more. The northern counties of the state find it easy to lend the money at a profit, while counties like Polk cannot use all of the money belonging to them.

George H. Van Houten returned today from Afton, where he had spoken before a county farmers' institute. There was a good program, but the cold weather made it a tedious duty. There was to have been an institute at Leon today, but it was postponed.

Army Post Water Works Veto.

Mayor Hartenbauer today placed on file his veto message of the proposition to have the city lend the water works company \$50,000 with which to construct a water main to the army post site. He declares that such action is contemplated is expressly forbidden by the laws of Iowa, and in addition to being illegal the proposition is a bad business one and without merit on the part of the city. The council is now preparing to make use of the funds on hand to build a new water main to the army post site. Mayor Hartenbauer says he will make his home, Mr. Hildreth is the pioneer editor who, with D. W. Carver of Dubuque, established the Charles City Intelligencer and issued the initial number July 31, 1856, the copy of the first impression of which was sold at auction for \$20 to G. B. Eastman of this city. Mr. Hildreth has lived here forty-five years and by economy, strict attention to his own business and good management made a fortune. Seventy thousand dollars of this fortune is now invested in the Hildreth hotel and opera house, the finest and most popular individual improvement yet made in Charles City.

Onawa Secures Library.

Through the liberality of Judge Addison Oliver, Onawa is going to have a first-class public library. The judge has the old Congregational church heating plant and two lots and donates them to Onawa on conditions which were accepted by the town council at a special meeting held last night. The \$4,000 donated in addition to the building is made available as desired and the library is made free to all inhabitants of Monona county and must be on its present site forever.

Bride Dying of Broken Hip.

NORTHWOOD, Ia., Dec. 20.—(Special.)—Jacob Reighley, aged 72, and Mrs. Amanda Hull, aged 78, were married by Rev. Frank Cole while the bride was in bed with a broken hip. The couple were to be married Christmas, but the accident, it is thought, will end the woman's life, and in order to care for her during her last days Mr. Reighley married her today.

Whitetails in Polk County.

C. H. Fullington, a farmer who lives near Avon, has begun suit for damages to the amount of \$16,000 against a dozen other residents of the same part of the county, alleging that they formed a mob aimed at him and that they threatened his life if he did not leave

COMPETES WITH BURLINGTON

Iowa Central Runs Through Freight Service Between St. Louis and St. Paul.

Burlington Road Cuts Lee.

CRESTON, Ia., Dec. 20.—(Special.)—The Lee harvest commenced this morning. An excellent quality of twelve-inch ice is being secured. The Burlington road puts up ice for this point for the entire season in Iowa and the work gives employment to hundreds of men for several weeks.

Creation Barbers Organize.

CRESTON, Ia., Dec. 20.—(Special.)—The barbers of Creston organized last night for the purpose of closing their prices and to effect closing on Sundays and at 8 o'clock in the evening.

BOY SHOTS WHILE MEN RUN

Young Kentuckian Kills Three Negroes in a Saloon Pistol Fight.

WELSH, W. Va., Dec. 20.—Wayne Demore, an 18-year-old boy, shot three negroes to death in a saloon here this evening.

It was pay day at the Davy mines and the negroes had begun their holiday celebration. Drunkenness was visible on every hand and when about a dozen of the big blacks entered Eugene Dye's saloon, revolver in hand, they demanded that all the whites within retire, the trouble began. The bartender stepped into an adjoining room for his pistol and all the other whites, save Demore, made a run to get away. Demore, although being almost a stranger in the town, was very bold and refused to obey the command to depart. Instead he pulled his revolver and in a twinkling he had shot three of the negroes to death and the others were falling over themselves to get away. Those dead are: LEM HOOTON, "PICK" WATTS, HARRY GOOD, all residents of the coal fields.

In the excitement Demore, whose home is in Cattletsburg, Ky., left the saloon by a rear door and up to a late hour tonight he has been captured. In fact, but little effort is being made to apprehend him. He is an assistant bookkeeper for Cole, Crane & Co. of Cincinnati, who are extensively engaged in timbering in this county.

MISS FRIZZELL LOSES CASE

Jury Returns Verdict for Street Railroad Company in Hard Fought Contest.

The case of Miss Ames Frizzell of Fort Smith, Ark., against the Omaha Street Railway company for \$25,000 for alleged personal injuries was submitted to the jury yesterday morning.

Judge Munger's instructions were brief and to the effect that the whole matter was to be decided on the facts. Miss Frizzell was being carried by her boarding house and from which she fell on the evening of June 1 last, did not stop at the sliding switch at Twenty-ninth and Pacific streets.

At 2:45 yesterday afternoon the jury came into the courtroom and returned a verdict for the defendant. The jury was then excused until Monday.

This and the libel suit of Miss Frizzell against J. C. Root and others, which resulted in her being given a verdict for \$14,000, have occupied the court's time for more than three weeks, but the criminal docket is finally reached and the first case will be called next Monday. It is to be against Harry Silvernail of Beatrice, who is charged with sending obscene matter through the mails.

After it is disposed of there probably will come the case of A. J. Van Alstine against the government, which has been pending eighteen months. Van Alstine asks to recover on a contract for carrying the mail to the depots during the year of the first expedition. He holds a subcontract, but no copy of it was filed with the government in Washington. This latter circumstance is important in view of the fact that Uncle Sam stands good for subcontracts only when they have been filed with him early enough to allow him to subtract the amount of it from the payment made to the holder of the contract.

It is thought that the case against Garnet C. Porter, indicted on a charge of sending obscene matter through the mails, will not be hurried any, as there is a disposition to let the state's cases against him be disposed of first.

WAITING FOR VOTES TO COME

Polls for Auditorium Company Election Remain Open for Several Days.

The stockholders' meeting of the Omaha Auditorium company, which was opened at noon Thursday, is still in session and votes are being cast upon the proposition to increase the power of the company to contract indebtedness.

The question regarding the number of votes required to be cast to carry the proposition under the terms of the articles of the association remains undecided, but in order to avoid any legal complications it has been decided to keep the polls open two-thirds of the eligible stock.

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There is a mistaken idea that this proposition is a secret matter. The fact is that under the articles of association, if we had \$200,000 in cash in the bank we could not enter into contract for the construction of the building, as we cannot now contract debts to exceed 20 per cent of the stock subscribed, and that per cent limit in our power of indebtedness is the best conditions to \$40,000, while we must make a contract for about \$100,000 when work really begins.

At the present time about 50,000 shares of stock have been voted and it requires the affirmative vote of about 60,000 to carry the proposition.

PUTS BAN ON CLOTH SIGNS

Mayor Says Streamers Must Disappear on the Front of the New Year.

After January 1 all cloth signs must be taken from the streets of Omaha. Such is the edict which Mayor Moore has issued. He granted special permission to dealers who had holiday goods to string banners across the sidewalks and over the fronts of their buildings, but after the beginning of the new year the temporary signs must be taken in.

EXTENSION OF ITS TERRITORY

Western Car Service Association Takes Its Many New Stations.

REMARKABLE GROWTH FROM SMALL START

New Acquisitions Are One Hundred and Seventy-Three Stations on Principal Railroads Running Through State of Iowa.

Manager A. C. Jones of the Western Car Service association announced Friday upon his return from the east that arrangements had been completed whereby the association has effected a very extensive increase of its territory.

None of the new stations taken in is as large or as important in railroad lines as the addition of Council Bluffs, Sioux City, Omaha or Lincoln, so the increase in the business will not be as large proportionately as it is in the territory covered. However, with the old territory the association handled some 40,000 freight cars during the month of November it now expects to manipulate as many as 55,000 a month.

The progress of this adjunct to the railroad service since its last reorganization on July 1, 1900, under the management of Mr. Jones, has been extremely meteoric. It started with just four railroads, the Burlington, Union Pacific, Missouri Pacific and Fremont, Elkhorn & Missouri Valley. Moreover, only that part of these lines within a radius of ten miles of the Omaha postoffice was operated, South Omaha, Omaha and Council Bluffs being the only cities in the association.

Takes Rapid Stride.

One month later the association enlarged so as to include all competitive points in the state of Nebraska north of the Platte river. In October again it took in all competitive points south of the Platte. In December Sioux City was included. Nothing more was done for just a year, when on the first of the present month some ten points in South Dakota and Iowa were added. On the 15th occurred the greatest stride of any, and the association finds itself handling a score of railroads in three states when it started with four on a ten-mile circle around Omaha.

The new territory secured in this latest acquisition is as follows: From Tara, Ia., to Omaha; from Tara to Sioux City; from Onawa, Ia., to Sioux Falls, S. D. This includes all points on these routes.

On the Northwestern: All points on the main line from Omaha 150 miles east into Iowa; a few competitive points on branches in the same territory.

On the Burlington, Cedar Rapids & Northern: Points in South Dakota, Iowa and Minnesota.

On the Rock Island and the Chicago, Milwaukee & St. Paul: A few competitive points in Iowa.

The territory which the additions of January 15 will bring to the association are on the Chicago, Milwaukee & St. Paul from Slater, Ia., to Council Bluffs, with the exception of Des Moines, and also on the same line all points south of the southern Minnesota division up as far as Chamberlain, S. D.

Improvements Stop Temporarily.

An era of active railroad construction, the completion of which means much to Omaha, was nipped in the bud and temporarily delayed along the Wabash line by the sudden advent of cold weather last Saturday. The frigid wave caught a force of 350 men, working on the improvement of this railroad's latest acquisition, the Omaha, Kansas City & St. Louis, and drove them completely out of the trenches. All operations are now of necessity suspended till the weather moderates.

It was on November 3 last that the Wabash took over the Omaha & St. Louis, and within a week after the assumption of the line the Wabash was working on the improvements. The main feature of these is the laying of new eighty-pound steel rails every foot of the way. Other changes will be the taking out of many curves along the route and the replacing of all bridges and culverts with new structures.

In the brief month or six weeks of work that the weather permitted thirty miles of the new rails were laid and 125 cars more of the steel he ready to be put down at once when work opens up in the spring. The new trackwork is between Council Bluffs and Silver City and south of Marvill. It includes entire new ballast along the whole system and a big rock crusher has been in operation on the scene of the work from the first, mining the rock that is carried directly there from the Missouri quarries.

The purpose of all this improvement is primarily to give a ten-hour service between Omaha and St. Louis, which has never yet been possible. In order to make this time a perfect road is desired.

RAILWAY NOTES AND PERSONALS.

The Wabash has completed its line from Montpelier to Toledo, thus giving it the short line from Chicago to Toledo. Freight is already being carried over the new road.

ROBERT SMITH CALLED AGAIN

He and Two Other Members of School Board Appeal Before Grand Jury.

Member Robert Smith of the Board of Education was up before the grand jury yesterday for the second time in the capacity of an expert on "well-defined rumors." For twenty minutes he did his best to tell what he knew of the alleged "corruption" existing in city affairs, but he failed to make good. His failure to do so led to the grand jury's decision to return a verdict against him. He explained this verdict by saying that the city council was responsible for existing conditions and that it was useless to ask that body to investigate itself.

Mr. Smith averred, however, that he knew of the alleged "corruption" and that he had been asked to testify before the grand jury. He explained this verdict by saying that the city council was responsible for existing conditions and that it was useless to ask that body to investigate itself.

Two other members of the Board of Education were also examined and they added but little to the evidence before the grand jury. Some members of the city council, among them Mr. Zimmern of the Third ward, were examined as to their knowledge of affairs.

The number of true bills voted by the grand jury for keeping and maintaining gambling devices has now reached 250 and there may be some additions before its work is finished.

JIM ALLAN'S STRONG BLARNEY

"Throws the Book" into English Bill and Lands Him in County Jail.

William Harrison, alias English Bill of Homer, Neb., pleaded guilty to the charge of selling liquor to the Indians and Judge Munger fined him \$100 and costs, amounting to another hundred, and gave him sixty days in Douglas county jail as a term in which to meditate on the consequences of telling too much of his family history to Deputy Marshal James Allen.

Harrison is of the nationality that his sobriquet indicates. He is a Scotchman. They took a long drive together the other afternoon and now English Bill is wishing they hadn't. He opened his heart to the man from the Highlands, and the man from the Highlands talked of Great Britain sympathetically until they reached Omaha. Then he looked out an indictment returned by a grand jury nearly two years ago, and it is to the charge in that that Harrison had to plead guilty. When he has met the requirements of the present law he will be held to answer to the charge in the indictment returned by the last grand jury.

Allen's memory is responsible for Harrison's hard luck. The latter was indicted two years ago for dispensing brewer to Uncle Sam's wards, but decamped before the officers arrived with the warrant. Recently he returned to his old haunts and his old tricks and was again indicted. Allen remembered the first indictment and when he had made sure of Harrison's identity he served the old warrant on him and held the new one for future use.

51 YEARS IN THE LEAD.

CHARTER OAK STOVES, RANGES, SIZES AND PRICES TO SUIT ALL.

CURE YOURSELF! The Big Cure for Constipation, Headaches, Indigestion, Nervousness, etc. See the advertisement in this issue.

SELF ASSASSINATION The Slow, Suicidal Processes That Are Indulged in by Thousands of Afflicted.

Dr. Bennett's Electric Belt

The vanguard of the great discoveries that have started the modern era in medicine are marvelous.

Are you weak or have you lost your power? See the advertisement in this issue.

DR. BENNETT ELECTRIC BELT CO. Corner Dodge & 18th, Omaha, Neb., Opposite Hayden & Acker's Open.