

NEWS OF COUNCIL BLUFFS.

FIGHT PROMOTER WANTED

"Doc" Church accused of passing a check with forged signature.

TAKES A SHOTGUN FOR GOOD MEASURE

Statement is made that he also attempted to pass another worthless check, but failed to find a victim.

F. W. Church, alias "Doc" Church, who claimed to be a former sporting partner of James J. Corbett, is badly wanted in Council Bluffs by parties upon whom he succeeded in passing a check for \$50, which subsequently was proven to be forged.

The board has in the past appropriated several sums of money for the Iowa Children's Home society, but the result of Secretary Reed's communication will be that the supervisors will make an investigation to ascertain whether the statements alleged to have been made by Agent Lanningham of the Des Moines society that the children who were in the home were to be cared for by the children which have been turned over to the society are based on truth or not.

Rucker Case Continued. Howard L. Rucker secured a continuance to March 15 in Justice Owen's court yesterday of the two cases against him in which he is charged with cheating by false pretenses in connection with the sale of lots in an alleged mythical townsite in Oklahoma.

J. W. Martin of Neola, one of the parties who purchased lots from Rucker in the town of Morris, returned yesterday from a trip to Oklahoma, where he went to investigate. Martin purchased ten lots from Rucker paying \$500 for them, and he was one of the persons who were instrumental in securing his indictment by the grand jury. Martin says he found that the company Rucker represented owned a quarter section of rough land, part of which had been staked out into lots. There were two subdivisions, one of which was vacant, on the quarter section, and the nearest railroad was at least six miles distant. The price Martin paid for ten lots, he said, would be a big price for the whole quarter section. His investigations, Martin stated, further led to the discovery that Rucker's company had sold over 100 lots before it even acquired title to the land.

N. Y. Plumbing Co. Tel. 250; night, F 657. Cady Sent to Hospital. T. J. Cady, the veterinary surgeon living at 223 West Broadway, was admitted yesterday to the hospital for eighteen months by Judge Thornell of the district court. Dr. Cady was before the court last December on complaint of his family, but as he promised to reform and abstain from liquor the judge agreed to give him another chance. Recently Cady's old habits returned to him and at the request of his family he was taken into custody and an application for his commitment to Mount Pleasant filed.

Plumbing and heating. Bixby & Son. Marriage Licenses. Licenses to wed were issued yesterday to the following: Name and Residence. Age. Wilber D. Kayton, Kingsley, Ia. 45 Elizabeth Dull, Malvern, Ia. 43

Real Estate Transfers. These transfers were reported February 9, to the Bee by the abstract, title and loan office of Squire & Annis, 101 Pearl street: Mary M. Robinson to George A. Van Inwegen, lot 3, block 2, Ferry add., w. d. 20

George W. Lipe and wife to Nellie M. Valen, lot 1, block 2, Ferry add., w. d. 45

George V. Hill and wife to Stuart Wright, lot 1, block 2, Ferry add., w. d. 1,000

Hans Peters to Charles Peters, lot 2, block 2, Ferry add., w. d. 100

Andrew Hansen and wife to John Johnson, lots 1 and 5, Auditor's subdivision, block 2, Ferry add., w. d. 1,500

Total five transfers amounting to \$2,715. MINOR MENTION. Davis sells drugs. Lewis' glasses fit.

Stocks sell carpets. The Faust clear, 3 cents. A store for men—"Beno."

Peterson, gun and locksmith, 439 B'way. Irrigated Lands—Irrigated lands to the front. John C. Small left last evening on a business trip to Chicago.

Grand ball Sat. Feb. 13, G. A. R. hall. Commonwealth lodge. Irrigated lands net the farmer annually from \$250 per acre.

Discarded sale on mouldings and framed pictures. Alexander's, 333 Broadway. Roy D. Evans and Ethel Rohlf, both of Omaha were tried in city yesterday afternoon by Justice Owen.

The members of Unity Rebekah lodge are requested to meet at 8 o'clock on Feb. 12 at 2 o'clock in Odd Fellows' temple. From ten cases irrigated land the farmer can realize a net profit of \$250 per acre so far conduced by her subsequent marriage to Rev. Mr. McKay that it was not a crime of a husband against a wife as such, and she as his wife could not therefore give testimony against him. As the case rested entirely on her testimony the defendant will go clear. In the case of the state against Harry DeGrate, from Dallas county, he was charged with assault to murder and the lower court set the indictment aside and directed a verdict for acquittal because it was shown that the defendant's wife was a witness before the grand jury in the case. The case holds that it cannot be required of a grand jury that all the testimony taken

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RAILROAD BILL HEARINGS

Opposition to the Measure Desired by the Stock Shippers' Association.

ROADS INSIST IT WOULD WORK HARDSHIP

Congressman Hull Taken Seriously Ill at His Home in Midst of His Campaign for Re-nomination.

(From a Staff Correspondent.) DES MOINES, Feb. 9.—(Special).—The first of the public hearings on bills relating to the railroads was held today at the committee on railroads of the house of representatives. The house has before it a number of bills that will be strongly opposed by the railroads. In support of the Delano bill to place under strictest regulation the operation of stock trains and the shipment of live stock, the Stock Shippers' association recently formed in the state is engaged in sending to the members large numbers of favorable petitions, and the hearing today before the railroad committee related to this measure and the railroad interests were represented by Judge Cook of Cedar Rapids and others who spoke in opposition to the bill, pointing out that it would be a hardship to the railroad companies to have the measure passed. Other bills will be considered later and it is probable that the stockmen will send representatives here to appear before the committee.

The proposal that the state of Iowa appropriate for monuments to the late Governor William M. Stone of Knoxville and General George A. Stone at Mount Pleasant, \$50 in each case, came up in the legislature. The bill is being presented by Representative Bealer. The bill recites the eminent services of the distinguished Iowa citizens to the state and the fact that both lie in graves practically unmarked.

Pure Food Bill. The pure food bill, prepared by the Department of Agriculture in December and sanctioned by the dairy commissioner, the Grocers' association, the manufacturers and dealers, and similar to the bill which passed congress, was introduced today. Memorial resolutions relating to the late L. B. Wolfe and to Hugh Langan, were passed.

A bill to reorganize the salaries in the office of State Labor bureau was introduced by Caldwell. It gives the commissioner \$1,500 a year, his deputy \$1,200, two factory inspectors at the same, a clerk and others necessary.

Sataries for Relief Commission. The nearest approach to a debate on any measure in the legislature came on a bill this morning to give \$12 a year as a salary to each of seven members of the members of the "relief commission." It was pointed out that there are about 900 of these and the aggregate will make quite an item of expense. The bill passed by 72 to 18.

A bill to reimburse residents of Humboldt county for expenses in certain land cases was passed. The bill provides for the reimbursement of the costs of many years ago. A bill to extend the time for granting letters of administration passed the house, also a bill to correct an error in the patenting of certain land and a bill to provide for completing homesteads of deceased soldiers by the administrators.

Senator Stooker's measure pending in the senate today is another measure tending to the regulation of private banks in the state. The bill provides for the publication of statements by the banks in newspapers in the counties where they are located.

The bill introduced by Senator Wilson of Clinton giving school boards power to purchase textbooks for the teaching of music in the public schools was adopted.

Bills Presented. Senate Bills—Young of Washington, to erect monuments to former Governor William M. Stone and General George A. Stone; Young of Boone, to amend the act relative to punishment for kidnapping, amending code with intent to commit grand larceny; Erickson of Iowa, to amend the act relative to the establishment of state institutions by Board of Health; St. Louis fair; Stooker, to amend the act relative to the regulation of private banks in the state; Young of Lee, authorizing executive council to make survey newly formed island in Mississippi; Hays of Iowa, to amend the act relative to building and loan associations; Crawford, to amend the act relative to payment county auditors; Dowell, primary election.

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Criminal Cases Reversed. The supreme court today reversed two criminal cases because of questions involving the effect of the testimony of a wife of defendant, but the cases were exactly opposite in their characters. In one there was reversal because the wife was allowed to testify and in the other there was reversal because the lower court held it incompetent for the wife to testify. In the case against Rev. C. B. McKay of Monona county, who was convicted on the testimony of his wife of a crime against her, before she married him, the court holds that the offense against the girl was so far conduced by her subsequent marriage to Rev. Mr. McKay that it was not a crime of a husband against a wife as such, and she as his wife could not therefore give testimony against him. As the case rested entirely on her testimony the defendant will go clear. In the case of the state against Harry DeGrate, from Dallas county, he was charged with assault to murder and the lower court set the indictment aside and directed a verdict for acquittal because it was shown that the defendant's wife was a witness before the grand jury in the case. The case holds that it cannot be required of a grand jury that all the testimony taken

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There are no indications that the tangle into which the Ninth district members of the legislature have got themselves on the matter of the report for the State university will be settled soon. The situation in Pottawattamie county, where the case of the school board of one candidate, leaving Dr. Tregor as the sole candidate, but there are three other candidates actively in the field—Dr. Brooks of Audubon, White of Harlan, and Sever of Stuart. The caucus will be called some time next week, when the Ninth district will try to effect a settlement. New Corporations. The articles of incorporation of "Boidt" of Dubuque were filed today. The concern has a capital of \$10,000. The Templeton Creamery company of Carroll county, incorporated, with \$3,000 capital, by Henry Stevens and others. The articles of incorporation of a new concern of incorporation with \$10,000 capital, by E. C. Will and others. Proves to Be Poor Shot. DUNLAP, Ia., Feb. 9.—(Special).—This company was admitted to the list of candidates for the ordinary, in which three prominent citizens were implicated. Three shots were fired in the vicinity of the Benedict restaurant at 7:30. Benedict had had suspicions for some time that all was not right between William Houts and his wife, and laid a plan to test the matter. While he was going to Dow City on the evening train he left the house, but instead of going to Dow City he got on the train on one side and off on the other and wended his way up to his house the back way. Finding nothing wrong he stepped across the street to see the Benedict restaurant. While he was on the latter, it is said, stepped into the back door of the Benedict restaurant. About this time Benedict returned and going to the rear of his house claims to have found Houts and his wife. Benedict pulled a gun and began pumping lead at Houts, who jumped over the high back-fence and ran to the back of the house. The Benedict restaurant is now closed, and it is said Benedict will sue for a divorce and institute damage proceedings against Houts. All the parties are well known. Soldier Boys Return. DUNLAP, Ia., Feb. 9.—(Special).—Today Dunlap people are welcoming the return of two soldier boys from the Philippines, George Trimble and Charles Mustoe, who enlisted at Omaha February 15, 1901, being stationed at Port Corral until March 5, when they left for San Francisco, sailing for the Philippines, March 18. Dunlap feels more than ordinary pride in her soldier boys, for eleven of her stalwart sons volunteered in the service of Uncle Sam, and notwithstanding the great climatic changes and unaccustomed hardships of the hot weather and marches all save one are yet alive and in apparent good health. Howard Randall has written that he has a complication of diseases on the transport Sherman while only a few days out from Japan, enroute to San Francisco. The eight other boys have almost completed their terms of enlistment and are expected home in a short time. Fruit Growers Organize. MISSOURI VALLEY, Ia., Feb. 9.—(Special).—At a well attended meeting of the growers of small fruit of this locality a permanent organization was formed for the purpose of employing a man during the fruit season to find a market for the fruit, and to advise the growers as to the best and most profitable way to grade and sell the same. By reason of this several fruit growers have signified their intention of largely increasing the acreage and amount of fruit raised in this valley. The officers elected were: C. H. Deur, president; W. A. Fouts, secretary; J. S. McGovern, treasurer. Cures Colds in Australia. LAXATIVE BROMO QUININE. To get the genuine, call for the full name. 25 cents.

before it must be entirely legal and competent and there was abundant evidence to sustain the verdict. The testimony of the wife, hence the judge, did wrong in dismissing the case. The following were the decisions: State against James Thru, appellant; Missouri county, Judge Bank; affirmed by the court. State against C. B. McKay, appellant; Missouri county, Judge Wakefield; reversed by Deemer. State against Harry C. DeGrate, Dallas county, Judge Gamble; reversed by Sherman. R. M. Lewis against William Simpson, appellant; Warren county, Judge Farish; affirmed by McClain. Phillip Ball, appellant; against R. W. Miquis; Warren county, Judge Gamble; affirmed by Bishop.

MACHEN IS ON THE STAND

Former Superintendent of Rural Delivery Testifies in His Own Behalf.

TELLS OF HIS DEALINGS WITH LORENZ

Signed Names but Few Times to Documents as That Was Done by Clerk Whom He Trusts.

WASHINGTON, Feb. 9.—The fifth and what is considered to be the last day of the postal trial began today. August L. Machen, former superintendent of the rural free delivery division of the Postoffice department, and the central figure in the case, testified.

Mr. Machen said he came to Washington and assumed his duties as assistant superintendent of free delivery in May, 1893. He then gave a summary of his office transactions and the selling of his interest in the oil business to Lorenz.

Mr. Machen admitted that some times he resorted to "kiting." When he wanted money in a hurry he testified he would draw on Lorenz. In order, however, not to catch Lorenz unawares when not in a position to meet the draft he would send a check to meet it and ask him to hold it. He declared he had no financial interest whatever in the oil properties after receiving a \$25,000 note from Lorenz.

Mr. Machen entered into a history of the growth of the free delivery service and said he always took the position of encouraging, never discouraging, the testing, with the view to the ultimate adoption of any device or system which tended to the betterment of the service and the convenience of the public.

Clerk Signed His Name. It was impossible, he said, to give personal attention to ordinary details of the service, and that after 1900 he personally examined very little mail. Mr. Machen assumed all the responsibility for the acts of his chief clerk, Miss Liehardt, saying: "While I was compelled to have his mail signed and initialed by Miss Liehardt, I have always assumed all the responsibility for every signature and every initial she has made."

After a brief pause Mr. Machen added: "I stand by it today." Miss Liehardt, he said, initialed probably 75 per cent of the orders for Groff fasteners.

Mr. Machen said that the rule of the department was to allow an inventor who presented something feasible to test his idea on his own expense. This was done, he said, in Groff's case. Mr. Machen explained the introduction of the fastener in Washington and said: "I knew the benefits that would accrue from the introduction of the fastener and knew of the defects of the old system."

Reverses the McKay Case. ONAWA, Ia., Feb. 9.—(Special).—The supreme court today reversed the case of the State of Iowa against C. B. McKay of Mapleton, who was convicted of statutory assault upon wife Kraft, a minor child, whom he afterwards married. The court held that the girl was not a minor at the time of the offense so that it ceased to be a crime against a wife, and as such she could not testify against her husband. McKay was sentenced to serve two and a half years at Anamosa by Judge Wakefield. The case was sensational and attracted much attention during the trial.

Settle Library Question. WATERLOO, Ia., Feb. 9.—(Special Telegram).—Andrew Carnegie today donated \$40,000 for two libraries for Waterloo, settling the dispute between East and West Waterloo and the suggestion of putting the building in the middle of the Cedar river.

You Take Desperate Chances When You Neglect a Cold. It should be borne in mind that every cold weakens the lungs, lowers the vitality and makes the system less able to withstand such succeeding cold, thereby paving the way to more serious diseases. Can you afford to neglect a cold? Chamberlain's Cough Remedy, famous for its cures of colds, can be had for a trifle?

FAIRFAX EXPECTS BIG CROWD Dakota Town Hears that It Will Be Site of Temporary Land Office. FAIRFAX, S. D., Feb. 9.—(Special Telegram).—Last night the Fairfax Business Men's club held a meeting and began making preparations for the coming of the many strangers who will be here next summer in the rush for the choice lands on the Rosebud reservation. It is reported on good authority from Washington that the government has decided to establish a temporary land office in Gregory company, and that it will be in Fairfax that being the nearest town to the lands which will be easy of access.

The people of Fairfax are quite jubilant over their good fortune in receiving this office as it means that Fairfax will have the handling of the great crowd of people who will be here which is estimated at about 100,000.

Strike at Hill City. HILL CITY, S. D., Feb. 9.—(Special).—A vein of free milling gold ore is reported opened on the Sunbeam property, eight miles northwest of Hill City, which is rich enough to cause the rights to be left in charge. It is also reported that the Sunbeam Mining and Milling company will employ about twenty extra miners in the near future and will also start their twenty-stamp mill in about two weeks, which will employ several men.

New Rector for Church. HURON, S. D., Feb. 9.—(Special).—The Episcopal society of this city has secured Rev. Mr. Edson, recently of New York state, as rector of Grace church here. He will enter upon his labors immediately following the return of himself and wife from the east. While here a reception was given them at the home of J. W. Campbell and wife.

Automobile Stage Line. OPAL, Wyo., Feb. 9.—(Special).—The proprietors of the Opal-Cora stage line will replace the four-horse teams with automobiles in the spring. Two days are now required to make the trip, but the automobiles will cover the distance in one day.

The Best Preparation for Colds, Coughs, and Asthma. LAXATIVE BROMO QUININE. To get the genuine, call for the full name. 25 cents.

CHICHESTER'S ENGLISH PENNYROYAL PILLS. Original and Only Genuine. Beware of cheap imitations. CHICHESTER'S ENGLISH PENNYROYAL PILLS. Take one or two after meals. Do not take on an empty stomach. Do not take on an empty stomach. Do not take on an empty stomach.

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