THE DAILY BEE-COUNCIL BLUFFS WEDNESDAY, MARCH 18, 1885.



order clerk in the postoffice, now enters the tion. These sections provide that "the law. Keeping in view that important and oft Connor's saloon on Main street, a few employ of George Heaton, the coal man, as right of trial by jury shall remain invio-late" and that in all criminal perosecu-**Casady Orcutt & French** repeated rule that no court is authorized doors north of Lower's hotel. He was tions, involving the life or liberty, the to declare an act of the legislature inval-accused shall have a right to a trial by id unless it is plainly, palpably, and be-**GRAVEL** ROOFING Daniel Beck, brother in-law to C. F. disputing with Pat Connors, a brother of Scheffele of the freight transfer office, is ex-Mike's, about paying for two drinks. 405 Broadway Council Biufts jury, upon an indictment by a grand yond doubt repugnant to some provision Nicolls refused to pay, and was put out pected shortly from St. Louis. He will take of the constitution, we reach the concluef the place. There was nobody with a position under Wm. H. Burns at the trans-The question presented by counsel in sion that the court below did not err in Roof Painting and repairing. All work guaranteed to give satisfaction. Carpets, him, and he was then dressed as usual. fer upon his arrival. argument may be stated in this general entertaining the action and in granting Dr. Green and Dr. Hart, after examin-John V, Evans, J. W. Barnbart, H. H. form. Is the statute under consideration the temporary injunction. GEO. SMITHSON, ing the body, gave it as their opinion that he came to his death by drowning. an attempt upon the part of the law mak-Roadefer, A. W. Clyde and S. I. King, Affirmed. ing power to deprive the citizens of the Curtains, prominent attorneys of Logan, came to this There was little more evidence to be constitutional right to be tried by a A SUDDEN CHANGE. city yesterday to hear the decision on the gained beyond the fact that he ate supper jury? liquor question in the sapreme court. as usual the night before and in the It is important at the outset to inquire Attorney Joe H. Smith of Logan, who Window Shades, Superintendent King, of the New evening started out to come down town. in what cases was the right of trial by a claims the distinction of being the hand-Government Building, Sucjury inviolate when the constitution was somest man in Iowa, was in the city accomceeded by S. E. Maxon, adopted, for it will be observed that the ST. PATRICK'S DAY. panied by Harrison county's famous sheriff, Mattings, provision is that the right "shall remain J. D. Garrison. They returned home last inviolate.' Since the starting of the new govern-Solemn Services at the Church and The jurisciction of courts of equity to ment building here Mr. O. J. King, of in the Evening a Merryenjoin and abate nulsances is of very ancient origin. * * The jurisdiction Dr. S. Moshler, of the Sioux City Linoleums. Corning, Iowa, has been the superintend-Making. Chronic Disease Institute, will be at the is applicable not only to public nuisances ent of construction, an excellent man Soott house in this city, Thursday, April strictly, so-called, but also to purpris-Yesterday morning there was a very 2d. Will attend to patients and all who tures upon public rights and property. and a skillful architect, but yesterday S. **Oil Cloths and** E. Maxon, the well-known architect of large congregation assembled at the S . are afflicted will do well to give him a This general rule is not and cannot be Council Bluffs, received an appointment Catholic church to attend zervices approcall. Consultation free. disputed. Courts of equity in nearly all as Mr. King's successor. Mr. Maxon is priate to St. Patrick's day. Rev. the states entertain jurisdiction to re-THE NEW COURT HOUSE. doubtless under obligation to Congress- Father Healey officiated. St. Patrick's Upholstery. strain and abate nutsances, either at the instance of a private individual who man Pusey for this appointment, as both Benevolent society met at their The Site fully Settled by the Purchasare staunch Democrats, while Mr. King is a republican. Mr. Pusey has not been tarrying in Washington shows that he sustains some special in-Mail Orders jury by the establishment or existence of ers of the Episcopal Church he nuisance. Property. Such a case being of equitable cogniz for naught, it seems. While in this sclemn high mass they received the com-Carefully Filled ! Union Ticket Agent ance, neither party could at the time of community Mr. King has many warm munion. Rev. Father Healey gave a The county board met yesterday and the adoption of the constitution demand friends, yet there will be much rejolcing short and really elequent address, his the only item of business of special puba jury trial as a matter of right. There on so worthy a townsman as Mr. Maxon thoughts and their expression being being so honorably recognized in his pro-fession. Some of the best building in spoke of how the state delighted to honor was no statute law or constitutional prointerest, was the completion vision then in force, which gays absolute the purchase of the lot right to a trial by jury in an equity case. hich now stands the old Episcopal Let it be conceded that courts of church love to honor its heroes and faith-church love to honor its heroes and faith-COUNCIL BLUFFS Railway Time Table. the city-such as the Masonic temple on which now stands the old Episcopal and the new opera house-are evidences church, and which has separated the two equity, before the adoption of the conof Mr. Maxon's skill and practical wispleces of ground owned by the county. of injunction to restrain and abate nuisstitution, declined to entertain actions dom, and he will doubtless fill the new tribute to the character of St. Patrick as the patron saint of Ireland, naturally In accordance with the contract made ba- ances in cases where no property rights position well. He is known to be in CARPET caused the reverend father to touch favor of giving work to Council Bluffs fore the question of building was present- were involved. The legislative history somewhat upon Ireland's condition. He mechanics, so far as he can do so justly, ed to a vote of the people, the county paid \$5,000 for the property. The deed was made out yesterday, so that to-day the connty owns a complete frontage on Pearl street, from Fifth Since the adortion of equitable cognizance. gave high praise to the sons and daughand he is understood to be willing to use CO. ters of Erin for their loyalty to the faith his influence in favor of getting so much of the stone as possible cut here, and not despite sufferings and persecutions, and he made the prediction that would, on in favor of having convict labor employed. 1.84V8. 5:55 p m 9:40 a m this account, be blessed by God, and He will, for the present at least, retain For Rent Since the adoption of this consti-Mr. King's assistant, Mr. Bell. Mr. that she had yet a glorious future before cation for the new buildings. This purchase settles all talk as to the site. A little attempt was made to get
the cate of foretution a jury has been allowed in as. King himself is at present in Jefferson 9:20 p m her. He urged those in this land who had the Irleh blood in their veins and St. Patrick's faith The building known as the "Ska'ing Rink" corr 10:05 a m 8:15 p m th Avenue and Pearl street, will be rente the court house located in the upper part closure of mortgages and mechanics liens. of the city, and property owners in that We are not then required to examine the in their hearts not to let the light flicker ther or separately. (Ocer THE SUPREME COURT. JOHN BERESHEIM, President Council Eluffs Savings Bank \$:25 p m 9:25 s m but to keep it burning brightly and see vicinity would gladly purchase a site and laws in force at the time the constitution to it that their children and children's present it to the county, but the county commissioners had pledged themselves that the new building should be on the old site, and they proposed to stand by that pledge. The people under-stood that the old location would be re-stood that the old location would be re-tained. The people under-stood that the old location would be re-tained and the understanding the re-tained with the old location would be re-tained and the understanding the re-tained with the old location would be re-tain children not only received this faith in 5:25 p m It Opens Its Session Here With a MANDEMAKER & VAN its purity but that they shall be so in-structed and trained that they will not let ARCHITECTS. Thunderbolt. it flicker. 5:10 p m 1:80 p m He also gave some practical suggestions on the observance of the day. Sometimes CONTRACTORS AND BUILDERS "At Transfer only GHICASO And NORTHWESTERS Express, Pacific Express respected, so that it can be considered ces, we can see no invasion of the rights permanently sattled that the present site is to be retained. equity and jurisdiction in case of nuisan-The Lesser Decisions. there was an attempt to drown the sham-No.120 Upper Breadway, Council Bluffs \$:50 p m 9:25 a m rock. Care should be taken that drunk enness caught none of St. Patrick's chil-The supreme court met here yesterday Dr. W. H. Sherraden dren. In honoring this patron right it /:40 p m The work of preparing plans and spe. do distinct property rights is involved. cifications in detail will necessarily pre. It is further insisted that the action in and will continue in session several days. was enough that words of praise be spok-DENTIST, 8:00 pm 11:00 am 19:10 am en. It was not enough that in partaking the communion, offering their prayers, The most important decision is the one cade the advertising for bids, and the equity authorized by the statute cannot given Usenhae, in which the prohibition be maintained because the legislature has

and getting St. Patrick to plead with God for them, they did well. Actions were needed also, and to be true children Council Bluffs . 1 of St. Patrick they should see to it that they not only cherished the faith, but that their daily walk and conversation shall be such that they should finally hear the blessed words, "Well done, good and faithful servant. The services at the church formed the only daytime feature of the observance of St. Patrick's day. In the evening there

was a grand ball given by St Patrick's society in Beno's hall, and a very enjoy-

The Ancient Order of Hibernians also gave a grand ball last evening in Masonie The attendance was lerge and a hall. goodly number of the order from Omaha were present. With good music, and all needful for an enjoyable time the affair proved a great success.



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1850

avenue to the alley, making a roomy lo-

evening.

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of

tained, and this understanding is to be

The work of preparing plans and spe-

The board adjourned yesterday until nuisance."

TO WHOM IT MAY CONCERN-I desire to

county board propose examining into the various qualities of stone, so as to let the no power to enforce a criminal law by a contract intelligently. The supervisors civil action. But "one maintaining a seem anxious to move surely and safely, nuisance may not only be punished in a junction as provided by this law, is upso that this county may have not only a criminal proceeding but a civil action at good building but one which will stand tor years to come.

pext Tuesday, when these important matters will be still further considered.

HENRY RISHTON. Neola, Ia., March 17, 1885.

law is decided to be constitutional, and the right of a magistrate to issue an inheld, This is a thunderbolt against the law to recover damages in a proper case salcon business, and cannot but make it and an action in equity to restrain the

more difficult, even in such citles as And it must remembered that the de Council Bluffs, to give the business any fendant is not convicted and punished protection by the local authorities. for a crime by the injunction. It be-The other cases decided were:

longs to that class of remedies which may State of Iowa vs. Albert Benton, apthe administration of proventive justice. I,518 in the Kaw Life Insurance so-ciety of Kansse City, made this day, in my late wife. I can heartily recomplex with the administration of the wrong-doer. It which acclety I held a joint policy with the administration of the wrong-doer. It which acclety I held a joint policy with the administration of the wrong-doer. It to pulse of Iowa vs. Albert Benton, ap-pellant. Indictment for embezziement. Verdict guilty. Judgment, and defend-able time had. The Ancient of the wrong-doer. It which acclety I held a joint policy with the administration of the law; its purpose is to Wrong State of Iowa vs. Albert Benton, ap-society in Beno able time had. The Ancient of the Ancient of the transformed is the trans

my late wife. I can heartily recommend the Kaw Life Assurance society to all who desire cheap insurance. The denial of a trial by State of Iowa vs A. J. Montgomery. jury is not as oppressive to the party appellant. From Marlon district court. charged as the statue requiring a person Affirmed.