

THE BLUFFS BUDGET.

A Batch of Decidedly Interesting News Items.

A Squabble Over the Construction of a Levee.

Mr. Sims Demands a Retraction from the "Nonpareil."

And Threatens a Libel Suit if it is not Made.

The city council met in regular session Friday evening. It was a brilliant one—that is the session. The roll was called and Fonda, Churchill, Mithank, Keller, Cavin, Spetman and Dawson responded.

The minutes of the preceding session were approved as published. Quite a number of bills were allowed, ranging from a \$600 lumber bill, presented by the Chicago lumber company, to one of fifty cents for burying a dog.

PETITIONS.

The petition of N. J. Bond, to be allowed to occupy a portion of Frank street for the purpose of erecting an elevator, corn sheller and scales was granted.

Petition signed by all the policemen and endorsed by Chief Field was presented, and, on motion of Alderman Fonda, was referred to the police committee.

The petition of Officer & Pusey, Farnsworth, Street and others, for a crosswalk from the northwest corner, at the junction of Main and Broadway, to the southwest corner, was granted.

A petition was presented by Mrs. Smith, asking that the Chicago & Northwestern railroad company be stopped from obstructing First avenue with their cars.

BIDS.

For constructing sidewalks were opened. The only two were: From C. C. Hitchcock, offering to construct the walks of cement for 54 cents per linear foot. From Mr. Mithank, plank walk, 40 cents; brick, 55 cents to 65 cents, according to width and curbing. The cement walks were given to Hitchcock and the brick to Mithank.

WANTS INVESTIGATION.

L. P. Judson, city engineer, presented a request inasmuch as considerable cheap talk had been going the round of Council Bluffs that there was a cat under the avenue G grade which he had not let out, that a committee be appointed to procure the services of a competent, unprejudiced engineer to re-survey the same and report the result to the council. The mayor appointed the following aldermen on said committee: Dawson, Churchill and Keller.

SIDEWALKS.

Mr. J. W. Laing addressed the council, calling attention to the obstruction placed by them opposite his front gate on Sixth street, in the shape of a crossing as a substitute for a sidewalk, on the east side of said street. A committee was appointed to remove the nuisance.

Mr. Churchill offered a resolution directing owners of property along the line on the east side of Sixth street, from Willow avenue to Fifth avenue, to construct within thirty days a sidewalk of hard burned brick. Carried.

THE LEVEE.

Mr. Dawson reported the interview had at Chicago with Mr. Hewett, general manager of the Chicago & Northwestern railroad in regard to the levee. Mr. Hewett informed the committee that the matter would be presented to their board of directors for action. Mr. Dawson stated that the chances were the board would meet too late for any use and he believed they would not come to any decision in the matter when they did meet. The report was received and placed on file.

Mr. Dawson, from the committee on the Hazzard culvert reported adversely. Report received and concurred in.

Mr. Unthank wished the council to excuse him from serving on the levee committee. The mayor thought as Unthank was on it he should be excused.

A petition from Thomas Officer calling the attention of the council to the washout of the foundation to one of his houses near the Creek, on Sixth street, was referred to the committee on internal improvements.

The petition for a culvert across the road being constructed by Conrad Giese, from his brewery to Frank street, the same to be 3x3x16, was granted.

NEW HOSE CART.

Mr. Dawson reported the purchase of a new four wheeled, two horse hose carriage, by the committee who went to Chicago and also read the contract. He reported that he had ordered 1,000 feet of new 2 1/2 inch hose from Seneca Falls, New York. The report was received and concurred in.

Mr. Dawson recommended the fitting up the Bluffs City hose cart building and keeping the old steamer there; also the construction of a new building on the city lot on Main street for the use of the new steamer.

Mr. Churchill stated that five-eighths of the taxes of Council Bluffs were paid by citizens owning property south of Broadway. That in his opinion the new steamer should be placed where it would offer the best protection for all this property.

Mr. Beckman being present at this juncture took a hand. He said that the eastern portion of the city was determined to push him and his neighbors over to Omaha for

FIRE PROTECTION.

("a very poor place.") At his own expense he had purchased a force pump and unless the council located the new steamer somewhere near his house he would smash the pump and let the house take care of itself. He made considerable of a period with his fist on the rail and retired.

Mr. Spetman thought a desirable accommodation for the new steamer could be procured from the county

without going to the expense of building. The matter of locating the steamer was deferred until the next meeting.

APPOINTMENTS.

On motion of Alderman Dawson Samuel Morrison was appointed engineer of the Bluffs City engine, vice Thomas Homes, deceased.

The matter of procuring a competent engineer for the new steamer was referred to the committee on fire and gas.

Charles Nicholson was appointed driver of the Bluffs City engine.

A resolution was adopted instructing the recorder and chief of police to proceed to condemn and sell all revolvers, knives, razors, old saws, hammers, brass, bowie knives, etc., left on hand by burglars and sneak thieves who were unable to pay their fines, and that the proceeds, after paying fees, be turned over to the city treasurer.

A. T. Ellewell made his report, showing cash on hand, \$4,869.08.

After transacting some few other minor matters, the regular business of the session was concluded, when

ALDERMAN DAWSON.

Resolved, By the council of the city of Council Bluffs, that the city attorney and committee of three proceed immediately to take such steps as are necessary to procure the right of way, 100 feet wide, on the line run by the Union Pacific railroad engineers, commencing at a point near the bluff, and extending eastward, and running said line to a point below the Driving park grounds, the termination of said point to be located by the city engineer and committee, and that a special committee of three be appointed, said committee to be composed of three members of the council and one citizen, and empowered to let contract for work on the same, and said work to be under the supervision of said committee and city engineer; and in view of the lateness of the season, would urge upon each and every one connected with this work, that they use every endeavor to vigorously push this work to an early completion.

Said committee shall have full power to audit all bids for work done with the city and county money, and the city engineer will aid said committee in procuring right of way, and setting grade stakes for said levee.

Andy Graham wished to be heard before this resolution was acted upon. He stated that the money appropriated by the county was at the solicitation of Mr. Metcalf, and himself; that they had pledged their word that the money should be judiciously expended; that the county board had

NO FAITH.

in a levee 8 feet wide on the top. They believed that a stronger levee should be constructed, to be not less than 15 feet across the top. They were willing that the route marked out by the U. P. engineer should be followed, but would render no assistance unless it was 15 feet wide at the top and 1 foot higher than the U. P. survey.

There seemed to spring up a misunderstanding at once between the members of the board of trade present—Andy Graham, H. H. Metcalf, and Dr. McKune. The mayor and council seemed to think that the board through these representatives had come there

TO "BULLDOZE"

them into handing over into their hands the \$2,000 appropriated by the city for the purpose. The city council believe that as the city must father the levee after it is built, keep it in repair and be responsible for all damage, that the same should be constructed under the direction of the city. They were willing, however, to allow one member from the board of trade to hold and handle the money.

Mr. Metcalf said that the council certainly misunderstood his position. He was not around hunting a job to handle \$2,000 of any man's money. He wanted nothing whatever to do with the \$2,000

ONLY SO FAR.

as he had given his word to see that it with the money appropriated by the city, went into the levee. Why the county board madethis a condition he could not say. He then explained that the county did not furnish the cash, but 10 per cent notes, and that J. J. Brown, a man in whom the county board had confidence, had not only agreed to take the paper at par but to superintend the construction of the levee without money or without price, provided they came to some understanding at once.

Andy Graham said that if the city council were going to wake up and help the board of trade it was time they were about it. Mr. Brown had very generously offered his services gratis, provided they acted at once. The work laid out for this fall could be done in three weeks, and he wanted the council to act at once so that Mr. Brown could

SHARPEN HIS FLOWS.

Monday, to make the dirt fly on Tuesday. Dr. McKune made a splendid speech, deferring the position of the board of trade in the matter. That the board had no desire to usurp the powers of the city council. They were after no glory in this business. They were interested as citizens in getting the levee constructed in the soonest possible manner. In eloquent and well chosen words he urged the council to act in the matter at once.

Mayor Vaughan had set still until now, when he arose and gave the board of trade a little lecture. He said it was no use for the city council to wear the mask any longer, and he was going to pull it off. He reached over the desk in "imitation of pulling off a mask."

"This city council, gentlemen, think that you are trying to run the business of this city; that you look upon this august body as not capable without you, and of constructing a levee or of expending the city's money."

YOU WANT ALL THE GLORY.

So far as your procuring the money from the county, it is simply a mistake. That money came because the high floods last spring drove people from their homes on the bottoms into the county court house for the board of supervisors to feed and clothe. Talk about your procuring this money. We can compel them to pay it whether they wish to or not. We, the city council and myself, ask no odds from anybody. We propose

to build this levee without the assistance of any money that is not given directly to the council to be expended by them. This levee will not belong to the board of trade or the county of Pottawattamie. The city much rather it, and be responsible for it after it is built.

The members of the board of trade retired with disgust. There was a calm for a moment, when an alderman offered the following amendment to Mr. Dawson's resolution:

Alderman Dawson, Keller, Cavin, Spetman and Cherubin Fonda have the same right to usurp authority and perpetrate themselves in power under the old city charter, against the pronounced will of the people, at all subsequent city elections, and for all time to come, that they have to refuse to count the vote in this instance.

THEIR ACTS are not only base usurpations, illegal, void, oath stretching and unconscionable, but border on revolution, lawlessness and anarchy. Such high-handed violation upon the fundamental rights of the people would not be tolerated in a government of dispo-

THE FUNERAL of the late Thomas Homer in a body and adjourned.

Mob Violence. The mayor and city council before entering upon their several official positions the servants of a trusting constituency, each took upon himself and his conscience a most solemn obligation and oath, for the faithful performance and keeping of which, they, each, with uplifted hand, promised, vowed, and swore before Almighty God.

The state enacted that they should take that solemn oath before they could perform a legal or official act. This perquisite was deemed essential by the highest legislative authority of the state, upon the theory that men will be bound by their solemn oaths, when nothing else will bind them. Practice has demonstrated the verity of this theory as a rule, although frequent lamentable exceptions to that rule are not wanting.

That oath, as solemn and as conscience binding as it is possible for a human being to take or charge his soul with the keeping, called God to witness the fact that they and each of them would support the constitution of the United States and of the state of Iowa, and faithfully perform their several duties under the state made for their guide and direction.

"SO HELP ME GOD." Have they been bound by or kept this most solemn of all earthly obligations?

The votes cast at an election held in this city on the 3d inst. were certified up to the city council from the several election precincts by members of this council, who were judges of said election.

This election was presided over, the votes received, counted, tallied and certified by members of the city council under an oath as officers and judges of that election. They certified under oath that there were a majority of 257 votes cast at that election in favor of abandoning the old city charter.

Section 437 of the code, in express terms provides that the city council "shall (not may) canvass the same and declare the result which shall be entered on the journal."

Section 438, with equal emphasis, provides "if a majority of the votes cast at such election be in favor of the abandonment of the charter, the council shall immediately call a special election for the election of officers for such corporation according to its class."

The duties of these officers, as above defined and so explicitly marked out, were the express duties they and each of them so solemnly swore they would each do and perform. They knew this when they took the oath. They know it now. They cannot plead ignorance and at the same time claim intelligence. They did not take an oath to decide the legality or illegality of that election. They are not judicial officers. There is no law giving them any judicial functions whatever in respect to that matter.

Moreover, the supreme court has decided that they have no "authority or discretion but to count the vote and declare the result." They knew when they refused to canvass that vote that they had

NO AUTHORITY IN LAW, morals, religion, or their oaths so to do. They knew that their oaths required them to count that vote. They knew that the law required them to count that vote. They knew that they had no authority to pass upon legal questions in respect to that matter.

They had no more authority under their oaths and the law, they were sworn to support, to refuse, or even delay, the counting of that vote, than they had to stuff the ballot boxes with tickets "against abandonment," or to form into a lawless mob and by force break up the election, and in that way defeat the will of the people.

There is the same license for the one as the other. There is no legal license or authority for either. The one is just as respectable and respectful as the other. The latter mode of defeating the popular will has this to say in its favor: The outrages upon the election franchise may not be done under oath. In the former mode the outrage is perpetrated under an oath. Both modes of procedure are "twain relics" of usurpation, violence and wrong. Both lead to the same inevitable, deplorable end, a denial of the right of the people pacifically to decide by ballot their choice or will in any public matter. The one as much as the other deals

A DEATH BLOW at the heart and vitals of all civilized organized society. The one as much as the other, with unerring certainty, aims death's arrow at that vital principle of all republican form of government—the majority rule. The one as much as the other exemplifies and verifies that other axiom, "Where tyrants rule the people do mourn."

They tell us "when you get an order of court we will count the votes but not before." As well might they say, "we will obey our oaths when you get an order of court but not before." In fact to be consistent, that is what they ought to say. This is what the people say of and for them. As well might the mob that is, by violence, preventing the people from expressing their choice at an election,

say, "Get an order of court and we will stop our lawlessness but not before."

One more step by this city council and mayor in the direction indicated and ballot box stuffing, tissue ballots, bulldozing and shotgun intimidation at the polls will become not only the order of the day to defeat the popular will, but eminently respectable and preferable, because not involving the infraction of solemn, recorded vital oaths and obligations.

Alderman Dawson, Keller, Cavin, Spetman and Cherubin Fonda have the same right to usurp authority and perpetrate themselves in power under the old city charter, against the pronounced will of the people, at all subsequent city elections, and for all time to come, that they have to refuse to count the vote in this instance.

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son county, for the support of an insane pauper. It was predicted at the time the suit was commenced that our county would fail, and after Mr. Hight went out and Mr. Sims succeeded to the conducting, a compromise was advised. Mr. Sims, however, declared he was equal to the task, and he went on, with the above result. The full amount recovered and paid into court subject to the order is \$2,000, which will immediately be turned over to the treasurer of the county.

Quite a racket took place in one of our Broadway saloons late Saturday night. One of the participants was knocked through the window on to the sidewalk.

Notwithstanding the uninviting condition of the weather, the funeral of Thomas Homer, late engineer of the Bluffs City steamer, was largely attended. After the obsequies, conducted at the house, F. T. Webb, of the Episcopal church, officiating, the procession formed in the following order: Music, Prof. Olker's band; members of the Omaha fire department; Council Bluffs fire department; Odd Fellows; hearse, followed by the horses belonging to the steamer, decorated with emblems of mourning; relatives; mayor and city council; friends in carriages. The remains were interred in Fair View cemetery.

The following names, with offenses, were registered at Burke's hotel yesterday: James Connamough, found drunk and beside himself by Officer Clough, deposited \$10.50 for his appearance to answer; Thomas Brady, so drunk that he could not poke his finger in a hole in a wall, three feet in diameter, was picked up by Morse and Field. He had \$10 and an extra pair of pants, which were taken as security for his board and lodging; John Murry, brought in by Barlyte and Brooks, drunk as usual, \$6.85, including washing of his dirty face.

James Ryan was arrested yesterday by Brooks and Barlyte, suspected of stealing a set of double harness, the property of Geo. Wheeler.

A Wise Deacon "Deacon Wilder, I want you to tell me how you kept yourself and family well the past season, when all the rest of us have been sick so much, and have had the doctors visiting us so often?"

"Brother Taylor, the answer is very easy. I used Hop Bitters in time, kept my family well and saved the doctor bills. Three dollars' worth of it kept us well and able to work all the time. I'll warrant it has cost you and the neighbors one to two hundred dollars apiece to keep sick the same time."

"Deacon, I'll use your medicine hereafter." oct15-nov1

GRAY'S SPECIFIC MEDICINE TRADE MARK THE GREAT TRADE MARK English remedy. An unfailing cure for Seminal Weakness, Impotency, Nervous Debility, etc., and all the ailments that follow as a result of the above.

BEFORE TAKING, see AFTER TAKING. Aches, Loss of Memory, Universal Lassitude, Pain in the Back, Dimness of Vision, Premature Old Age, and many other Diseases that lead to Insanity or Consumption and a Premature Grave.

Full particulars in our pamphlet, which we desire to send free by mail to every one. The Specific Medicine is sold by all druggists at \$1 per package, or 6 packages for \$5, or will be sent free by mail on receipt of the money, by addressing THE GRAY MEDICINE CO., Buffalo, N. Y.

For sale by C. F. Goodman. Buffalo, N. Y. oct15-nov1

1880. SHORT LINE. 1880. KANSAS CITY, St. Joe & Council Bluffs RAILROAD

Direct Line to ST. LOUIS AND THE EAST From Omaha and the West.

No change of cars between Omaha and St. Louis, and both en route between OMAHA and NEW YORK.

Daily Passenger Trains EASTERN AND WESTERN CITIES with LESS CHARGES and IN ADVANCE OF ALL OTHER LINES.

This entire line is equipped with Pullman's Palace Sleeping Cars, Palace Day Coaches, Miller's Safety Platform and Coupler, and the celebrated Westinghouse Air Brake.

See that your ticket reads VIA KANSAS CITY, ST. JOSEPH & COUNCIL BLUFFS Railroad, via St. Joseph and St. Louis.

Tickets for sale at all coupon stations in the Westinghouse Air Brake.

AGENTS WANTED FOR PAPER BINDING BOOKS OF THE AGENT Foundations of Success BUSINESS AND SOCIAL FORMS.

The laws of trade, legal forms, how to transact business, valuable tables, social etiquette, parliamentary usage, how to conduct public business, in fact it is a complete guide to Success for all classes. Address for circulars and special terms ANCHOR PUBLISHING CO., St. Louis, Mo.

Sioux City & Pacific RAILROAD THE SIOUX CITY ROUTE Runs a Solid Train Through from Council Bluffs to St. Paul Without Change Time, Only 17 Hours.

100 MILES THE SHORTEST ROUTE, FROM COUNCIL BLUFFS TO ST. PAUL, MINNEAPOLIS, DULUTH OR BISMARCK, and all points in Northern Iowa, Minnesota and Dakota.

This line is equipped with the improved Westinghouse Automatic Air-brake and Miller's Platform Coupler and Buffer, and for SPEED, SAFETY AND COMFORT is unsurpassed. Pullman Palace Sleeping Car runs through WITHOUT CHANGE between Kan City and St. Paul, via Council Bluffs and Sioux City.

Trains leave Union Pacific Transfer at Council Bluffs at 7:25 p. m. daily. The Short Line, the Quickest Time and a Comfortable Ride in the Through Cars between COUNCIL BLUFFS AND ST. PAUL.

See that your ticket reads via the "Sioux City and Pacific Railroad."

J. S. WATLES, J. R. BUCHANAN, Superintendent, Council Bluffs, Iowa. P. E. ROBINSON, Asst. Gen'l Pass. Agt., Missouri Valley, Iowa. J. H. O'BRYAN, Southern Agent, Council Bluffs, Iowa.

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BOSTON STORE 614-616 So. TENTH STREET. HEADQUARTERS FOR BARCAINS IN DRY GOODS.

1 Case scarlet Twill Flannels, 25 to 50 cents. 1 Case White Shaker Flannels, 16 2-3 worth, 25 cents. 1 Case Grey Mixed Flannels, 16 2-3 to 25 cts. 1 Case Shirting Flannels, 22 1-2, worth 35 cts.

1 Lot Fancy Plaids, 20c, worth 30. 1 " " " 25c, worth 45. 1 " All Wool Shudda Cloths, 46-50c, worth 65c. 1 Lot Black Cashmeres, 50, 65, 75, 85, 95 cts. 1 " Heather Foulle Mixtures, 40c, worth 60. 1 " All Wool Armres---new shades---25 cts, worth 40.

Black Satins, 75c, \$1.00, \$1.25, \$1.50, Black Gros Grain Silks, \$1.00, \$1.25, \$1.35, \$1.50. Look at our \$1.00 silks.

Heavy Canton Flannels, 8-12, 10, 11 1-2, 12 1-2. Black and White checkered shirts, 12 1-2, and 15 cents uptown prices 16 2-3 and 20 cents.

1 Case Lanies' and Childrens' Hosiery. 17 dozen Men's Heavy Underwear, 50 cents each, worth 75.

20 dozen Ladies' Merino Underwear 50 cents up to \$1.75.

Our Millinery department is now stocked with all the correct styles. Trimmed Hats \$1.00 to \$15.00. P. G. IMLAH, Manager, Leader of Popular Prices.

J. B. Detwiler's