

THE OMAHA BEE.

COUNCIL BLUFFS. OFFICE, NO. 12 PEARL STREET.

Delivered by carrier in any part of the City. H. W. TILTON, MANAGER.

TELEPHONE: BUSINESS OFFICE, NO. 44 NIGHT EDITOR, NO. 23.

MINOR MENTIONS.

N. Y. P. Co. Council Bluffs Lumber Co., coal.

W. H. Robb was arrested yesterday morning and locked up for vagrancy.

Mrs. Hansen has been elected to succeed Mrs. Castle as janitor of the Eighth street school.

L. A. Casper will be at Fairview cemetery decorating graves and lots next Friday and Saturday.

By a unanimous vote of the school board Superintendent McNaughton will succeed himself for another year.

The Pythian Sisterhood will give a social and dance at Knights of Pythias Hall Thursday evening. Music by Dally.

All members of Bluffs division uniform rank Knights of Pythias will meet for drill on Wednesday evening. By order captain.

Elder W. W. Blair of Lamoni, will preach this evening at 7:30 o'clock in the Latter Day Saints church on Pierce street, west of Glen avenue. Seals free.

Two companies of soldiers passed through the transfer yesterday morning. One was en route from San Francisco to New York, and the other from New York to San Francisco.

Each was composed of about one hundred men.

The members of Overton lodge, Independent Order of Good Templars, have decided to secure the Berean Baptist church as a place for holding lodge meetings hereafter, and the first meeting will be held there next Friday evening.

Captain Daley of the Dodge Light guard has issued an order for an election to be held at the armory Monday evening, the 29th inst., to elect a first lieutenant to fill the vacancy caused by the resignation of Lieutenant W. Aitchison.

In police court yesterday morning A. Harris, an ex-gambler, "capper," Casper Hannan, a vag of the most exaggerated type, were each fined \$25.00. A couple of drunks were fined \$10.00 each. Peter Winter, who was arrested for driving over a new brick sidewalk, was discharged.

Mr. Bert Fryer and Miss Ida Smith will be united in marriage at 9 o'clock this morning by Rev. T. J. Mackay, at the residence of the bride's mother, on East Pierce street. They will travel at once for a short visit with friends at Nebraska City. On their return they will begin housekeeping at the corner of Pierce and Grand streets.

The Chicago & Rock Island comes to the front with a pleasant recognition of the advantages and merits of Omaha and Council Bluffs Chautauqua assembly. It has decided to sell tickets at one fare for the round trip, which makes it really half fare. This will help greatly to draw people from a distance for it materially reduces the expense of attending.

The school board has directed the president and secretary to certify to the county treasurer the following levy for the ensuing year: Contingent fund, \$25,000; teachers' fund, \$40,000; school house fund, \$10,000.

The board has also reported all plans for an eight-room school, and submitted plans for a six-room school to the committee on grounds and buildings, who will report at the meeting next Saturday night.

Dwight F. Hildebrandt, died of cancer of the throat Monday noon, at the residence of S. H. Finney, No. 102 Third Twenty-fourth street. He was aged forty-three years and had been in the employ of the Union Pacific as a switchman at the transfer, since 1882. He was greatly esteemed, especially by his fellow railway men. His brother George H. Hildebrandt of St. Joe is here with his daughter, to attend the funeral which is to be held at St. Francis Xavier's Catholic church at 9 o'clock this morning.

Another large consignment of gas stoves has been received at the Council Bluffs gas and electric light company. The stoves are put out on trial for one month free. There is nothing more conducive to good cooking and consequently good health and comfort than one of these stoves. Try one.

Buy Wall Paper at Gillette & Freeman's, 28 Pearl street.

Schmidt's gallery refurnished, and new instruments. For 30 days, \$3.00 cabinets for \$2.50. Elegant finish warranted. 329 Main.

Dr. H. S. West, porcelain crown and bridge work, No. 12 Pearl.

PERSONAL PARAGRAPHS.

J. D. Johnson left yesterday for Chicago.

A. T. Fleckinger is home from Des Moines. Miss Ada Terwiller left last evening for Chicago.

W. P. Dodge leaves this evening for Springfield, Ill.

George S. Miller and wife left last evening for Buffalo.

Mrs. Moore of Mapleton is visiting Mrs. H. A. Belleger.

Mr. and Mrs. B. S. Terwiller left yesterday for the east.

Mrs. McCabe of Moberly, Mo., is visiting friends in this city.

Warren Hicks of Palatka, Texas, is visiting his mother in this city.

Mrs. Edward Hamilton and brother, William Burbank, have gone to Canville, Canada.

Sylvester Deo of Macedonia is here in the city yesterday, en route for Deadwood, Dak.

Miss Hume of Missouri Valley is the guest of Miss William Merket on Washington avenue.

W. W. Williams and wife leave today for a visit of a few weeks with relatives in Illinois.

General M. M. Marshall and daughter, Miss Eva, are home from a Kansas City trip.

Superintendent Roadhouse of the Weir plow company of Monmouth, Ill., is in the city.

Mrs. Cass of Sioux Falls, S. D., is visiting her son, W. S. Cass, No. 105 South Seventh street.

William Wallace and family of Los Angeles, Cal., are visiting the family of James Hebrew on Sixth street.

Oscar Bennett, formerly connected with the local street railway service, but now of Chicago, is visiting friends in this city.

James Cunningham, a well-known superintendent of King & Co.'s packing house, is a guest of George J. Crane and family on Park avenue.

Charles E. Street of Park City, Utah, arrived in the Bluffs yesterday morning.

It is here for the purpose of arranging for the further development of mines in which he is chiefly interested, with a number of Council Bluffs gentlemen.

Marshal Templeton returned yesterday morning from Lincoln, where he went to give evidence against Weber and Woods, the two crooks arrested here some time ago for burglarizing Greenstone's jewelry store. Four of the implicated parties were bound over to await the action of the grand jury.

J. C. Bixby of this city, Dr. E. M. Powell, of Glenwood, left last evening for a week's fishing at Lakes Madison, Elysian and near Franconia, Minn. When Dr. Powell arrives at the fishing ground the black bass and pickerel may just as well roll over on their backs and turn up their feet to be tied up.

C. B. Waite left last evening for Chicago where he will meet Lucius Wells, and the two members of the school board will go together to Rockford, Ill., at the expense of the Swede Heating & Furnace company, to examine dry closets and find out the best system to adopt for the new six room building to be erected in the western part of the city.

Hon. W. H. M. Pusey went to Stambury, Mo., yesterday to attend a meeting of the directors of the Omaha & St. Louis railway company, at which it was proposed to take some action with reference to the company's interests in the new union depot in this city. Mr. Pusey attended to look after the city's interests.

J. G. Tipton, real estate, 327 Broadway.

If you wish to sell your property call on the Judd & Wells Co., E. B. Judd, president, 683 Broadway.

J. C. Bixby, steam and electrical engineer, 943 Life building, Omaha; 329 Merriam block, Council Bluffs.

A Judicial Investigation.

The Millikin divorce case, which created a little breeze in the district court last Saturday owing to certain mysterious features in connection with the manner in which the petition was filed, again came to the surface yesterday morning. Judge Dwyer entered the following order on the court calendar:

"The court, upon its own motion, hereby sets aside the order of default and decree entered on May 17, 1890, it appearing to the court that the petition was not filed in time to bring the cause on for hearing at this term of court; and the said default is hereby expunged and set aside far being for naught, and the cause is continued until the next term of court."

When court opened Colonel Daley, who secured the divorce for his client, was on hand, evidently expecting that something a little out of the usual order was about to happen. He was not disappointed, as the court very promptly called him to account. "It seems," said the judge, as he looked at the colonel, "that there was something wrong about the case of Millikin vs. Millikin, in which a decree was granted last Saturday. The papers in the case are not here, and the record does not show that the petition was filed in time to have been brought up at this term of court. How do you explain this seeming mystery, Colonel Daley?"

"Well, your honor," said the colonel, red-tinted face slowly to his feet. "I can only say that I seem to have the enmity of the clerk of this court, and this is not the first time I have been treated in this manner. I can cite other cases of recent occurrence where I have been charged with having the papers in cases pending in this court, which were not in my possession. As far as this individual case is concerned, I want to say that the petition was filed over two months ago, which was more than ten days before the opening of the term, and I do not know where it is now, for I haven't seen it since. It was not my fault that it wasn't filed. I didn't discover that it hadn't been filed until Saturday, when I filed another one, and that is the one that was then brought in here."

"You say that the petition in this case was filed in time for trial this term?" inquired the judge.

"I do, most emphatically," answered Colonel Daley.

"Very well, that puts an altogether different aspect on the case. I don't care about the newspaper versions of it, as what I want are the simple facts. I have always found you honorable in your dealings with the court, and I should be sorry indeed to find that you had endeavored to impose on its confidence in the professional honor of the attorneys at its bar. I sincerely hope the time will never come when it will be impossible for this court to place the fullest confidence in the professional statements made by counsel as to the condition of the records in a case."

"I wish to state here," said the colonel, "that I never knowingly misled the court or any member of the bar, and I will submit the statement to some of them who are here now. The only person with whom I have had difficulty is the clerk, with whom I have not found favor, and I have been the victim of his partiality."

Clerk Chambers, who had all this time been sitting quietly at his desk at the side of the judge's bench, could hold in no longer, and interrupted the speaker.

"You are mistaken, Colonel Daley," said he, "for I have always treated you with the greatest possible consideration. As far as I am concerned, I stand most positively that the papers were not filed till Saturday, and were not in this office until that time, when you paid me for filing them. I do not know where they were kept before you filed them, but I do not care to be kicked for not filing them before. You never said a word about any other petition, or asked what had become of one. How did you get the papers out of my hands, and how do you inquire? Why did you pay a second filing fee for the same papers, without even an inquiry about the first one that you allege to have been filed?"

"I could show other cases where you have taken a double filing fee," retorted the colonel excitedly.

"You can't do it," quickly responded Chambers, "but I can show where I helped you get \$25 that you were not entitled to."

The court then asked the statement that he only wanted to know about the case in controversy.

"My clerk will make affidavit," continued Daley, "that the petition in this case was drawn up and filed long ago, in plenty of time to be heard at this term of court. When the proper time comes I will make my defense."

"I can't help that," interrupted the judge. "I shall have to stand by the record, and that shows that the papers in this case were never filed at all, for it has not even been put on the appearance docket. I am very sorry, but I shall have to make an order that the default against the papers in this case last Saturday be set aside and declared null and void, and the cause continued until the next term of court."

The judge then inquired of the clerk how the case came to be entered on the trial docket.

"It was done at the special request of Colonel Daley," said Clerk Chambers.

"When he came in Saturday to file his papers I was very busy, and did not stop to inquire whether they were put on the docket or not, or whether they were put on the docket or not, or whether they were put on the docket or not."

"I don't know," said the clerk, "but I have done what I could to help his case in all parts of the case, and I have done my best to get the case in the best possible light. The reporters came to me about the matter, and I explained to them how it might be that Colonel Daley had secured a default and decree so soon after the petition was filed. They went to other persons besides myself, and will come back to me with their own statements."

"But," said the judge, "you are a man of business, Colonel Daley's clerk, who stated that he drew up the petition fully two months ago, and filed it with the clerk, Frank Chambers, brother of the clerk. He said he filed it in the clerk's room down stairs, where all the clerk's room papers are kept. How can it be that it is not on the docket?"

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At the Boston Store this week—Council Bluffs. Parasols, children's parasols, 25c, 45c, 75c, 1.00, 1.50, 2.00, 2.50, 3.00, 3.50, 4.00, 4.50, 5.00, 5.50, 6.00, 6.50, 7.00, 7.50, 8.00, 8.50, 9.00, 9.50, 10.00, 10.50, 11.00, 11.50, 12.00, 12.50, 13.00, 13.50, 14.00, 14.50, 15.00, 15.50, 16.00, 16.50, 17.00, 17.50, 18.00, 18.50, 19.00, 19.50, 20.00, 20.50, 21.00, 21.50, 22.00, 22.50, 23.00, 23.50, 24.00, 24.50, 25.00, 25.50, 26.00, 26.50, 27.00, 27.50, 28.00, 28.50, 29.00, 29.50, 30.00, 30.50, 31.00, 31.50, 32.00, 32.50, 33.00, 33.50, 34.00, 34.50, 35.00, 35.50, 36.00, 36.50, 37.00, 37.50, 38.00, 38.50, 39.00, 39.50, 40.00, 40.50, 41.00, 41.50, 42.00, 42.50, 43.00, 43.50, 44.00, 44.50, 45.00, 45.50, 46.00, 46.50, 47.00, 47.50, 48.00, 48.50, 49.00, 49.50, 50.00, 50.50, 51.00, 51.50, 52.00, 52.50, 53.00, 53.50, 54.00, 54.50, 55.00, 55.50, 56.00, 56.50, 57.00, 57.50, 58.00, 58.50, 59.00, 59.50, 60.00, 60.50, 61.00, 61.50, 62.00, 62.50, 63.00, 63.50, 64.00, 64.50, 65.00, 65.50, 66.00, 66.50, 67.00, 67.50, 68.00, 68.50, 69.00, 69.50, 70.00, 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