OFFICE, . . NO. U PEARL STREET

Delivered by carrier to any part of the city. H. W. TILTON, Lessee. TELEPHONES-Business office, No. 45; night

MINOR MENTIONS.

Grand, Council Bluffs. E. F. Clark, prop. Mayne Real Estate sgency, 539 Broadway. H. W. Butterfield returned a few days ago from a visit to Quasqueton, Ia., where is

was married to Miss Mina Biddinger. Dr. Reller will lecture before the nurses at the Woman's Christian association hospital at 11 o'clock today on "The Distinctive Fea-

tures of Homeopathic Medicine." will be buried in Fairview cemetery.

N. N. Jones, warden of the penitentiary at Fort Madison, is in the city stopping at the Grand hotel, and will take back with him

The Veteran Firemen's association will give a ball on Wednesday evening, May 1, at the hall of the Woodmen of the World. The members of the association will be present in their new uniforms.

One of N. W. Williams' teams with a wagon of the horses broke two of its legs and had to be killed.

The county jail will be nearer empty today than it has been before for a long time. Last week there were forty inmates, but today there will be only about ten. Judge Woolson has decided to send bereafter most of the convicted bootleggers to the jalls in country towns, so as to leave room in the jalls at Council Bluffs, Des Moines and Keekuk for parties who have been arrested and are wait-ing their turn at the mill of justice. Ellen, wife of C. R. Mitchell, the contractor,

ed at the age of 61 years vesterday morning of kidney trouble, after an illness of seven weeks. She leaves five living children. She was born in Oxford, Chenango county, N. Y. and was married in Pittsfield, Mass., in 1854. Twenty-three years ago they moved to this city from Marengo, Ia., and have lived here ever since. The funeral will occur Friday afternoon at 2:30 o'clock from the residence, corner Ninth street and Twelfth avenue,

Two desirable cottages for rent. Plenty of money for farm loans. Fire insurance, Money loaned for local investors on best of security Special bargains in real estate. Lougee & Towle, 235 Pearl street.

Yes, the Eagle laundry is "that good laundry," and is located at 724 Broadway. If in doubt about this try it and be convinced. Don't forget name and number. Tel. 157.

All kinds of plants and nowers. J. R. Mc Pherson, green houses 1250 E. Pierce at Telephone 244, night or day. Hay for sale, by the ton or carload. W. A.

Wood, 520 Main street. PERSONAL PARAGRAPHS.

Congressman A. L. Hager of Greenfield, Ia., registered at the Grand hotel yesterday. G. B. Suter, supreme grand deputy of the Independent Workmen of America, is in the

Mr. and Mrs. John Brooks of Atlantic are the city, the guests of their daughters, Mrz, Ruffcorn and Mrs. Leech.

Mrs. Henry Swan of Sixth avenue leaves this morning for Mount Pleasant, where she will spend two weeks with friends. Miss Loudon, private secretary for United States District Attorney C. D. Fullen, will spend a few days with friends in Omaha.

Mrs. V. C. Rocho of Emerson, wife of the new paster of the Baptist church of this city, is a daughter of General Schofield. Mr. Rocho will commence his pastoral labors here May 1.

Ed Archer leaves this morning for Hot Springs, Ark., where he expects to remain for a month or six weeks in an attempt to regain health. Mrs. Archer will accompany her husband, but will return home in the

Deputy Sheriff Nick O'Brien was up town yesterday for the first time since his shooting two months ago. He is still very weak, although the wound has almost entirely healed over. The muscles, which were cut by the physician for the purpose of dressing the wound, have not yet entirely knit, and he has to move with a good deal of care to pre-vent their being torn apart. In time he will be as well as he ever was. Yesterday afternoon he visited the county jail and talked with Wilson and Smith, the Griswold bank robbers, who had just resilved their sentences. It was the first time they had met since they exchanged courtesies on the court house steps on the evening of February 26.

BENNISON BROS.

Prices Down Still Lower. pieces of Japanese jointless matting.

50c quality linen warp Jap matting, 29c \$4.00 quality chenille portleres, fringe and ado top and bottom, \$2.98 pair. \$5.00 Irish point lace curtains, \$3.66 pair.

\$4.00 Swiss embroldered curtains, \$2.50 pair \$10.00 genuine brussel net curtains, \$5.98

ar. \$5.00 Point de Spray lace curtains, with uffle edge, now \$3.50 pair.

A big carpet sale; get our prices. Our 50c summer corsets, 37c. 3,000 yards all silk ribbons, all colors, Nos.

5, 7, 9, 12 and 16, at 5c and 10c yard; worth Ladies' pure silk vests, 50c each.

Ladies' fine Maco cotton union suits, spring weights, 50c suit. 36-inch L. L. unbleached muslin, 3½c yard.

8½c bleach muslin, 6½c yard, DRESS GOODS AND SILKS. 40-inch all wool navy and black French serge, 35c vard.

46-inch black all wool crepon, was \$1.00, now 69c yard. Largest line of wash dress goods in the

Come in and see them.
BENNISON BROS. Maintaining Her Character. E. G. Bartlett was yesterday served with

notice that a suit for \$20,000 was to be commenced against him by Sarah Woodward on the ground of defamation of character. Mr. Bartlett lives in a house on Broadway near Bartlett lives in a house on Broadway heat. Eighth street which is owned by Smith Saunders. Some time ago Mrs. Woodward and her daughter rented rooms on the opposite side of the hall from him. Shortly after-

ward, Mr. Barilett claims, they commenced receiving calls from gentlemen friends and ome of these calls took place very late in as evening. Their actions finally became such that he notified his landlord that he desired a change of neighbors, and Saunders could either lose him or the women. Saun-ders ordered the women to leave and told them that Bartlett had been complaining. The ladies have now gone into court and J. J. Shea is the attorney whom they have engaged to see that their fair name gets a \$20,000 polishing.

Contradictory Evidence.

The \$10,000 damage suit of Anna Damitz against William Bauerkemper was finished prove that on the day on which the crime was alleged to have been committed he was in Minneola holding his sister's baby up to be christened. Dr. C. Deetken of this city was of that crime.

"It is surprising how many blunders the "It is surprising how many blunders the contrators of this crime committed. It is put upon the stand to swear to the fact. This question of his whereabouts on that day was not raised, however, on the first trial, in the criminal proceedings. In making his affu-ment before the jury Attorney Hazellon called attention to the fact that the plaintiff had told two entirely different stories as to her connection with the defendant, and had sworn in this trial that the statements she made in the former trial were false. The case was submitted at the hour of evening adjourn-

50,000 l'ansies in Bloom.

Now is the time to make selections and plant them. Other plants and cut flowers theap. J. P. Wilcox, 1132 E. Pierce. Tel. 99. A splendid line of men's suits at Metcalf

Ice-Nice, clean reservoir ice, cheap. Mul-volland, 5 Baldwin block. Telephone 186.

THE OMAHA DAILY BEE NEWS FROM COUNCIL BLUFFS

Edgington's Attorneys Seeking a New Trial for Their Convicted Client,

MISCONDUCT OF A JUROR IS ALLEGED

Affidavits Presented to the Court Show that One of the Twelve Good Men Had a High Old Time Over Sunday.

It now looks as though in the future when a judge, on letting the jurors out for a recess, cautions them about taiking with outsiders about the case on trial he will have The funeral of Daisy White will take place to insert an admonition against toying with his merning at 10 o'clock from the residence, the flowing bowl. The fraudulent pension 1618 South Eighth street, and the remains case of the United States against A. A. Edgington seems about to go by the board on account of the misconduct of a member of the jury, and the week spent in trial benight Wilson and Smith, the Griswold bank fore the twelve men who were supposed to

be good and true wasted. The arguments of the motion for a new trial were an interesting feature of yesterday's session of federal court. Judge Woolson was clearly averse to admitting the claims of the defendant's attorneys, and and ran down Glen avenue, striking a tele-graph pole at the intersection of Broadway, had been all right, and be did not care to had been all right, and he did not care to hear any arguments on that point. At the solicitation of Attorney Shea, however, he

> decided to hear what he had to say. Shea claimed that the court had erred in instructing the Jury with reference to the estimony concerning Edgington's previous good reputation. He read some decisions the effect that where the governmen made a strong case, the question of good of no avail, but where it was weak the testinony as to good character should go to the ury and have great weight in determining he doubt. Judge Woolson was unable to see wherein his instructions differed from those which the supreme court had laid down, and overruled the motion so far as that one point was concerned.

> The claim of Attorney McPherson that the section of the statutes under which the in-dictment had been brought had been repealed by the passing of another statute was also denied by the court.

> FOUND A JUROR WHO DRANK. At this point Mr. Shea read an affidavit of Nels Sanderson, day porter at the Kiel hotel, stating that on the Sunday afternoon, April 14, before the case was given to the jury, he saw George Hart of Clarinda, one of the jurors, drunk in the hotel bar; that he engaged in a quarrel in the bar; that Hart was put to bed and was still drunk in the evening when Sanderson took some water to his room. Shea read a decision of the court to the effect that when ardent spirits had been indulged in during the progress of the trial or the deliberations in the jury roo such an extent as to influence the mind of a juror the latter was unable to give an impartial decision and the verdict should not be allowed to stand. The decision also said that when a juror became drunk he showed no proper appreciation of the importance of his position or his duties, and that in such a case the court should not besitate to set a verdict aside. In Iowa, Shea said, the supreme court had held that a single drink of liquor taken during the progressof a case should disqualify a juror from act-ing. Other affidavits were presented corroborating Sanderson's story.

> T. E. Casady, the assistant United States district attorney, read some decisions in which it was held that if it did not appear that the juror who thus got drunk was under the influence of liquor at the time evience was being introduced or while he was deliberating, the defendant's rights had not been endangered and the verdict need not be set aside.

the case in point, so far as it was set forth in Sanderson's affidavit. Rather a different the saloons they had taken at each one. They had made a pretty complete roundup of color was given the case, however, when the saloons in the city, and had dolle then duty by the proprietor of each before they shea introduced another affidavit, signed by struck Kildare's place. Judge McGee thought L. T. Genung, one of the defendant's attorneys, in which it was stated that Genung have interfered with their eyesight and left had had a conversation with Hart himself, Shoemaker go. had had a conversation with Hart himself, who said that Sunday afternoon he was so drunk that he didn't know anything about the fight he had in the hotel bar until the following day, when he came to his senses guilty, but Moore insisted on telling his story in order that more than a nominal fine might be assessed against him. After he had done taken nine drinks on an empty stomach and Monday he could hardly hold up his head. These statements, the affidavit said, made in the presence of Genung and evidence. A. W. Askwith.

WILL LOOK INTO THE MATTER. This was apparently unexpected, but after a few seconds' consultation District Attor-ney Fullen said that if the court deemed the contents of the affidavit of any importance he would like to have Hart brought into court, as he believed he would have affidavita which would controvert the state. ments made in the affidavits presented by

the defense. Judge Woolson said that the question had narrowed itself down to whether or not Hart had been affected by the liquor during he hours of the trial and deliberations. He did not propose to do anything that would tend to induce laxity in the conduct of jurors. He postponed the further investijurors. gation of the matter until the afternoon

When court reconvened the attorneys for he defense stated that some of the parties who knew of Juror Hart's misconduct refused to make affidavits, and asked the court to appoint a commissioner, who might compel them to do so. Commissioner Steadman was appointed by the court and will take the statements of these witnesses under oath in his office at the federal building this morning at 9 o'clock. The issues between Edington and the government will be thus made up and Judge Woolson will return next Tuesday morning and hear the remainder of the arguments for a new trial.

SENTENCED THE BANK ROBBERS. The Griswold bank robbers, W. J. Smith, alias George Willard, and J. J. Wilson, alias 'Spooney" Butler, were then brought in to receive their sentences. Colonel Dalley, their attorney, besought the court's leniency in an affecting speech containing references to Smith's wife, who is now under arrest in Detroit on a charge of shoplifting, and his two little children, one of whom has recently written her father a letter, which is clearly the work of a fond and loving child to a de-voted father. Judge Woolson said that if Smith had a child who was so fond of him he should have thrown before her the shield of a father's affection, instead of going around the country robbing banks.
"I do not know," continued the judge, "how much part Smith would have taken in

the plan of escap: and the murder of Officer O'Brien. I only know that he had his weapon in his hand and would have fired it had not his hand been stopped by a bullet from Officer O'Brien's revolver. I know omething of his former history, particularly I have Wilson's history quite complete.

When he goes to prison the building may be strange to him, but not the clothing nor the customs of the inmates. It is surprising that a man of Wilsen's ability and attainments should follow such a life as he has. I can only explain it on the theory of total moral depravity. He may yet have to stand yesterday afternoon in the district court given to the jury. Bauerkemper sought to prove that on the day on which the crime prove that on the day on which the crime and his sentence in this court shall not now and his sentence in the court sh

> perpetrators of this crime committed. It is seldom that the government is able to trace so well the movements of the criminals step by step. February 25 the crime was committed, and now, April 24, the trial has been completed and the sentence has been pronounced. As far as Wilson is concerned, if the statute allowed twice the length of santence it does, I should give him every minute of it. I have no idea that the sentence I may impose will affect his future life, in the of it. I have no idea that the sentence I may impose will affect his future life in the slightest degree, although it may Smith's. I have thought for some time that there ought to be a difference between the sentences to be imposed on these two men, and if it were possible for me to give Wilson ten years I might make quite an appreciable discount for Smith. But five years is not a very long time for an offense so serious as this."

The judge concluded his remarks by im posing a sentence of five years at hard labor Garden hose, big stock, good and cheap.
New York Plumbing Co.

Miss M. E. Keen, stenographer, 106 S. Main.

Miss M. E. Keen, stenographer, 106 S. Main.

In case a trial should be held, in any state SUSPICION TOOK HIM THERE court, and to keep him in his custody until after the trial was over, after which the defendant should be taken back to the pen-

itentiary to serve out the remainder of his Reasons Why John M. Thurston Was in St. Court then adjourned until next Tuesday, when Judge Shiras will hear the testimony in the case of Richmond, Crawford and Muffly, the promoters of the Union Building and Savings association. Before they were taken back to the county jail Smith and Wilson held a brief soirce with Colonel Dailey and District Attorney Fullen, in which they both spoke hitterly of the trial just closed

and made several sarcastic references to a jury which would believe the witnesses brought forward by the government. SOCKED IT TO THE BOOTLEGGERS. During the day several bootleggers took heir spring tonic. John Collett, a member of the Heltman gang that shot Deput United States Marshal Wray at Albia las fall, got off a triffs easier than his companall, got off a trins easier than his pals. He was separate character than his pals. He was separate receiver case of the Oregon Short

ntenced to ten months in the county jail Logan and fined \$400. Three brothers, Riley, John and William es, who have been terrorizing the natives for an entirely different purpose, hardly a Audubon for several years past, were half dozen people in the headquarters buildfor sentence. The first two were fined ing knowing the attorney for the receivers \$200 and sent to jail, the former at Atlantic and the latter at Logan, for 100 days, while the third was fined \$300 and sent to the to represent Winslow S. Pierce of New York, Avoca fail for 120 days.

Norris Allen of Lenox was fined \$300 and of the Oregon Short Line & Utah Northern,

sent to the Council Bluffs fail for 100 days. Jeff Stewart, who passed a counterfeit sit-ver dollar, was given a fine of \$300 and a six months' sentence in jail, but both were sus-pended on the payment of costs. George Manes, for bootlegging, was charged up with a fine of \$300 and a jail sentence of 120 days, both of which were suspended on condition that he pay the costs of the suit, which amount to \$125.

Samuel Wheeler of Red Oak entered a plea of port guilty to the charge of bootlegging.

of not guilty to the charge of bootlegging.

WON'T STAND A LIBEL. Manufacturers of Copp's Cheer Will Prose-

cute Its Jealous Traducers. We have this day instructed our attorney to notify one L. Rosenfield of Red Oak, Ia., that we will prosecute him for libel if he does not cease his malicious circulation of the report that Copps Cheer and Herb Tonic, as manufactured by Wheeler & Hereld, Council Bluffs, require a government, or any other

We refer the public to Deputy Revenue Collector J. C. Lange and Commissioner J. J. Steadman, Council Bluffs, for official information that no such license is required. We are protected by the official analysis and report of the internal revenue commis ioner at Washington, and give a bond to all our customers guaranteeing them against all trouble in selling and dispensing these goods

WHEELER & HERELD. Council Bluffs. Sole brewers and originators of the great on-alcoholic beverages, Copps Cheer and Herb Tonic.

unless it be the annoyance occasioned by the small would-be rivals, like this Rosenfield.

Do you want any fencing? If so, den't fail to see the Dekalb wire picket fencing, 45c per rol, up to 70c per rod. Lasts a lifetime. Turns everything. Cole & Cole, 41 Main

concert at the First Presbyterian church, Friday evening, by the Omaha Glee club will be a rich musical treat. The club will be assisted by the Dudley Buck male Jules Lumbard, J. H. Simms and Prof. Albin Huster.

A splendid line of men's suits at Metcalf Bras.' for \$5 50. Largest stock of wall paper in the state

They Had a Real Lively Time, C. L. Moore, Jim Sheridan and several of their friends were in police court vesterday morning to testify in the case of the state against Frank Shoemaker, charged with stealing Moore's watch from Sheridan's pocket while the latter was dead drunk in the card foom at Mike Kildare's place, the opera house saloon. Judge Aylesworth, the attorney for the defense, led them a merry chase and got them to tell of all the saloons they visited and

so the court allowed the case to be continued until today for the defendant to procure some

Moore and Sheridan were two men who cams to impeach the government's witnesses in a bootlegging case. They were themselves impeached, and the man whose interests they were looking after was found guilty.

They're After Him.

If you have read this paper you will see that our manager, E. G. Bartlett, has not only got a big grocery business on hand, but a \$20,000 damage suit. Now we feel that we must assist him and to do this, in order to raise \$20,000 for him, we must cut the prices n groceries lower than ever. See our ad omorrow. Bartlett Grocery Co. S. M. Williamson

Sewing City & Omaha companies. The difference between the deficit of the incime of 1894 was shown in the income account, \$1,862,733.74, and the deficit, as it appears in the general balance sheet, \$2.857,604.23, is due to the fact that the latter includes the sums appears of the control of Sells the Standard and Domestic machines; also agent for Standard in Omaha. 106 South Main street. Finest table board in the city at the ashionable "Aberlin," corner Sixth avenue and Seventh street, reduced to \$4 per week.

Best Roman gold for china painting, ents, at Chapman's new art store, 17 Main street.

Also furnished rooms.

The opera house has been engaged for a grand mass meeting for men only next Sunday afternoon at 3:30 o'clock, under the leadership of F. F. Pierson, who will in this way inaugurate the union evangelistic meetings. Admission will be by ticket, as it is expected that the seating capacity of the house will be taxed. No admission fee attaches. Tickets may be obtained at the

Young Men's Christian association rooms. This evening the union prayer meeting be led by Rev. H. P. Dudley. The interest and attendance at these meetings is re-

Gas cooking stoves for rent and for sale. C. B. Gas company.

Garden hose, big stock, good and cheap. New York Plumbing Co. Those gentlemen's suits at \$6.50 come in all the different colors. Metcalf Bros.

Brida! Tour by Bicycle. Neil T. Ryan and Matilda Cress of Omaha ode up to the court house on their bicycles esterday afternoon, and, going inside, asked the clerk to give them the necessary docu-

ments to enable them to get married. A license was procured and they went to the office of one of the justices of the peace, where the knot was tled. They returned to Omaha on their wheels. 8. M. Williamson Carries the largest stock of high grade bicycles of any dealer in the west. Also has the best equipped repair shop in the west. 106

South Main street; telephone, 202, Dr. Laugel, office 410 5th ave.; tel. 180. The Hardman, the plane par excellence. Davis, drug, paint, glass nan. 200 B'way.

Marriage Licenses. The following marriage licenses were issued by the county clerk yesterday: Name and address,

 T. W. Gray, Neola.
 28

 Nettie Veseley, Neola.
 22

 Neil T. Ryan, Omaha.
 24

 Matilda Cress, Omaha.
 25

Gasoline Has Riz.

But it won't stay long. Gasoline stoves are lower this week than ever. Four-burner, high, only \$10. Three-burner, high stove, \$8. Cabinet Reliable, \$25, worth \$28; and \$20, worth \$24. Monarch Cabinet, best stove made. and two large ovens, \$26. At DeVol's, 504 Broadway.

Get prices on wall paper at the Boston

Paul Last Tuesday.

Trust Company Would Seek to Sub-

mit Affidavits at the Hearing-At-

torneys Deny It-Date Stands.

Judge John M. Thurston, attorney for the

hearing already set for May 1, on petition of the American Loan and Trust company

affidavits and other testimony in the effor-

connection with the Union Pacific, and by

he same receivers, was not as productive o evenue or as advantageous to the Shor

for the American Loan and Trust company

dication for continuance Messrs, Davis, Kel

wholly on the record as it now stood

ourt that we would not be prepared on May to meet any issues of fact which might be

prung in any testimony by affidavit or other-

wise which might be offered, and it is vir-tually understood that should any effort be

made to put in any evidence at the hearing it

will go over in order to give us ample op-

It is feared in Union Pacific circles that

notwithstanding the statement made by the attorneys representing the American Loan

and trust company that it was their intention to argue the case on the present pleadings, an effort will be made by Mr. Story, the east-ern attorney for the trustee of the consoli-dated mortgage, to introduce affidavits which

will have a tendency to send the case over

to a later period, in which event Judge San-born may remand the case to the special master in chancery to take festimony, and

he doubt and uncertainty will continue in-

UNION PACIFIC'S ANNUAL MEETING.

New Officers and Committees Elected-A

Preliminary Seport.

BOSTON, April 24. The annual meeting

railway was held in this city today. Stock-

shares. President and Receiver S. H. H.

also present these out of town directors:

Joseph Millard, Sidney D. Ripley, G. M.

Dodge, G. W. Doane and J. N. H. Patrick, the new government director. The accounts

of the directors during the past year and also

he accounts of the attorney for the company

were ratified and the attorney was ordered

ing the present year. The meeting then ad-

ourned until 12:10 this afternoon, when in-

stead of the usual annual report a preliminary one was accepted which was explained as follows: "Owing

to the complications brought about through the receivership it was found to be im-practicable to include in this report the sums

payable under the traffic contracts with the Oregon Short Line & Utah Northern rail-road, the Union Pacific, Denver & Gulf road, the Union Pacific, Lincoln & Colorado, the St. Joseph & Grand Island, and the Kansas

usually paid under the tariff contracts with

Director J. N. Patrick.

The directors also re-elected the following

officers: Alex E. Orr, chairman of the board, New York; S. H. H. Cfark, president, Omaha; Edwin F. Atking, vice president, Boston; Oliver W. Mink, second vice presi-

dent and assistant comptroller. Boston: James

G. Harris, treasurer, Boston; Frank D. But-

rick, assistant treasurer and transfer agent,

While the meeting was in progress General Manager Dickinson said: "Crop conditions up to the present time are all that could be wished. Still) no immediate im-

provement need be expected. People have shipped their cattle and hegs out of the

country to an extraordinary degree, and it

Cut the Loan Down Materially.

United States Trust company and the Mer-

cantile Trust company of New York and the

receivers of the Atlantic & Pacific road

ompromised their differences in the United

States district court today in the matter of

borrowing money to pay the rental on the line of road from Needles to Mojave, Cal. The parties stipulated that an order could be

Villard Has Not Gained Control.

compromise was the result.

ALBUQUERQUE, N. M., April 24 .- The

The meeting then adjourned.

to prosecute and defend for the company dur-

lefinitely in consequence.

and Trust company that it was their intention

portunity to make our counter showing.

show that the operation of the Short

line interests as its ope inder a separate receivership would be

for a separate receivership.

the report published here this afternoon that FAILED TO KEEP A PROMISE Henry Villard had again secured control of Henry Villard had again secured control of the Northern Pacific. He said there was no

truth in the rumor, asserting that it was merely a rehash of something printed in a New York paper a few days ago.

NEW YORK, April 24.—The report which was received in this city in a dispatch from St. Paul, Minn., stating that Henry Villard had secured control of the Northern Pacific, FORESTALL SURPRISE IN SHORT LINE CASE could not be verified tonight. Mr. Villard is at his summer home at Dobb's Ferry. Receiver Henry E. Payne of the Northern Pa-cific railway said: "This is news to me. Was Understood that American Loan and If there is any such plan on foot I have not beard of it. The road is at present in the hands of the receivers and the reorganization committee has charge of its affairs.

> HENRY VILLARD AGAIN IN CONTROL Northern Pacific Back Into the Hands of

receivers of the Union Pacific, was not in St. the Famous Financier. ST. PAUL, April 24.-The Dispatch announces that Henry Villard has again secured control of the Northern Pacific. It Line & Utah Northern," as stated by a local is openly stated in this city that the deal paper. Mr. Thurston's visit to St. Paul was has been closed and that the famous financier has come to this country for the purpose of making arrangements to wind up the receivership and assume the direction of the property. This, it is said, has been accomplished through the efforts of the Deutsche bank of Berlin, which has been attorney for the first mortgage bondholders Villard's backer ever since his connection with the Northern Pacific began. Twice has under whose foreclosure proceedings the prese enjoyed control of the road, once at its beginning and once later, and each time it ent receivers of the Union Pacific now hold the property, and it was for the purpose of seems he has had the American stockholders to contend with in his efforts to look after the interests of the bendholders, securing an extension of time that Mr. Thurs-Mr. Thurston on his return from St. Paul yesterday explained his mission in this wise: "I appeared yesterday bewho are represented by the Deutsche bank. The stockholders have invariably carried the day and Villard has been ousted. The last time, however, the ousting was followed fore Judge Sanborn at St. Paul and repre-sented W. S. Pierce of New York City, counin no great length by the receivership, so sel for all of the first mortgage bondholders that the stockholders did not gain a very great benefit from the process. the Oregon Short Line & Utah Northern Railway company, to ask a continuance of the Reading's Demands Refused.

ther meeting of the coal railroad presi-"This application was largely based upon the belief that the American Loan and Trust company would expect at the hearing to offer dents today, at which it was decided to refuse the demands of the Reading Radi-road company, and negotiations are there-fore suspended. CORA SMITH SENT UP FOR LIFE

NEW YORK, April 24.-There was an

Sentence of the Des Moines Giri Arrested in Omaha for Her Father's Murder. DES MOINES, April 24 .- (Special Telehad accidentally discovered that the attorneys gram.)-Cora Smith, who was arrested in Omaha, and who confessed to giving the had been endeavoring to secure, and in some instances had secured, affidavits of former fatal dose of poison to her father, Michael-Smith, for which her mother, Betsy Smith, officials of the Union Pacific system and others, the character of which, of course, we had no means of knowing. On hearing of the apis now serving a life sentence at Anamosa. was sentenced by Judge Spurrier of the district court this morning to life imprisonment, ogg and Severance of St. Paul appeared for She fainted when the sentence was pro he American Loan and Trust company and nounced. She had been living a life of crime nsisted that they did not intend to make use f any affidavits or other testimony on the Omaha since Betsy Smith's conviction, and it is believed here she made the con earing; that their purpose was to submit fession hoping to get her mother out. The case excited state wide interest because of the brutality of the crime, which was comcluding of course the printed records of the receivership. On this assurance the court mitted to obtain \$3,000 life insurance carried denied our motion for continuance. On the strength of their statement also I advised the by the deceased.

At 9 a. m. the defendant, dressed in black with a pale face made more white by powder and eyes that seemed indicative of despair was brought in by the bailiff and deputy sheriff. She did not even glance around on the crowd. On former occasions, during the trial of her mother, Betsy Smith, her bravade was marked, but today she was as listless as though all hope had fied. She will probably be taken to Anamosa immediately. Her incarceration will not release her mother, Mrs. Betsy Smith, serving a life sentence for the same crime. Legislative action will be necessary in her case.

Sustained the Police Officer SIOUX CITY, April 24.—(Special Tele gram.)-In the district court today a verdic was returned for the defendant in the cas-Tuttle against Franciscus. Several months ago Franciscus, who is a policy officer, shot Dick Morgan, a 13-year-oid boy while the latter was attempting to escape

while the latter was attempting to escape arrest. The boy claimed the shooting was unjustifiable, and sued for \$10,000 damages. He died from the effects of his wound, and the name of his executrix, Mrs. Tuttle, was substituted in the suit.

The case of the state against Walter Strange, charged with cheating the county out of \$1,000 while he was a member of the board of supervisors, went to the jury at 6 o'clock. The trial has occupied two weeks and has been watched with great interest. The city authorities are taking steps to collect a license of \$25 per year for each car operated on the street railway lines in the city. The ordinance requiring it has exand election of officers of the Union Pacific holders were present representing 186,133 Clark and General Manager Dickinson were city. The ordinance requiring it has elected for many years, but no license hever been paid except by the Sioux Ci Traction company. All back dues are be collected, and the total will amount many thousand dollars. There are all Sloux Cit sided. Besides President Clark there were There are alt gether five lines in the city.

Jury in the Watch Trust Case Disagrees. NEW YORK, April 24 .- The jury in the suit of the Dueber Watch Case company against the American company, which is composed of the Waltham, Elgin, Bay State. Brooklyn, Seth Thomas and several other watch and watch case manufacturers, an nounced today in the circuit court before Justice McClellan that it was unable tagree. The jury had been locked up since 2 o'clock yesterday, and it stood 9 to 3 is favor of the defendant. The suit is fo \$500,000 damages, and was brought on the grounds of conspiracy. The Dueber compan claimed that the American Watch company was a trust and that it boycotted every firm that bought from the Dueber company.

WEATHER FORECAST.

Partly Cloudy and Cooler, with Variable Winds for Nebraska. WASHINGTON, April 24.—The forecast for Thursday is: For Nebraska—Partly other companies. No account has been made of the sum payable under the traffic contract loudy; cooler; variable winds. with the Union Pacific, Denver & Gulf Rail-road company since the sum payable there-under cannot be determined." For Iowa-Partly cloudy; cooler; north-erly winds, becoming variable. The following officers were then elected: Oliver Ames, second, Boston; Edwin F. At-kins, Boston; S. H. H. Clark, Omaha; Gor-

For Missouri—Showers; cooler in the northwest portion; variable winds.

For South Dakota—Fair; cooler in the southwest portion; variable winds.

For Kansas—Partly cloudy; warmer in the southern portion; cooler in the extreme northern portion; variable winds. Local Record.

kins, Boston; S. H. H. Clark, Omaha; Gordon Dexter, Boston; Granville H. Dodge, New York; George J. Gould, New York; Marvin Hughitt, Chicago; Henry B. Hyde, New York; Joseph H. Millard, Omaha; Oliver W. Mink, Boston; Alex E. Orr, New York; S. Endicatt Peabody, Boston; Sidney Dillon Ripley, New York; Russell Sage, New York; James Sharpe, Salt Lake City; Oliver W. Mink was elected vice Gardiner M. Lane resigned. signed.
The following committees were then chosen:

Executive committee, Alex E. Orr, S. H. H. Clark, Oliver Ames, second, O. W. Mink, Edwin F. Atkins, George J. Gould, Govern-Normal temperature 55
Excess for the day 16
Normal precipitation 11 inch
Deficiency for the day 11 inch
Total precipitation since March 1. 2.70 inches
Deficiency since March 1. 1.16 inches ment Director E. Ellery Anderson. Finance Committee—Oliver Ames, second; Henry B. Hyde, George J. Gould, S. E. Peabody, Marvin Hughitt, Alex A. Orr, Govern-ment Director Doane. Land Committee-Edwin Atkins, Alex E. Orr, George J. Gould, Sydney Dillon Ripley, Joseph H. Millard, Russel Sage, Government Reports from Other Stations at 8 P. M.

> are of day. STATE OF STATIONS. .00 Clear. .00 Clear. .00 Clear. .00 Part cloudy .00 Clear. North Platte... Valentine... Davenport... Kansas City. Denver.... Salt Lake City.

will take a few years to grow more cattle. Work and field horses are still selling in Nebraska at \$5 to \$15 each." "T" indicates trace of precipitation. L. A. WELSH, Observer.

AMUSEMENTS.

COMMENCING Thursday, April 25. EFFIE ELLSLER

made authorizing the receivers to borrow \$75,000 and issue receivers' certificates for Assisted by Frank Weston, Robert Drouet and a competent company, the same, and an order was made by the court and entered accordingly. The re-ceivers intended to borrow \$275,000, but the Thursday and Saturday Matinee, "Hazel Kirke" United States Trust company, which is the trustee of nearly all the first mortgage

bonds, objected to so large a loan. The question was then taken into court and the Saturday, the Romantic Comedy, "A Womans' Power" Villard Hes Not Galoed Control.

ST. PAUL, April 24.—Counsel Mitchell of the Northern Pacific railroad tonight denied

\$125.00 Giren Away

Saturday evening a high grade "Cleveland Swell Special" bicycle will be given away.

Sale opens Wednesday at usual prices.

Friday, Last Season's Success,

Causs of Some Interesting Litigation at Mt. Ayr, Ia.

GEIGER-PAYNE CASE UP FOR TRIAL

Young Music Teacher Asserts that a Wealthy Farmer Agreed to Marry Her and Asks a Fortune for His

Abandonment.

MT. AYR, Ia., April 24.—(Special Telegram.) -The special district court of Ringgold onty is in session with Hon. H. M. Towner on the bench. The noted Geiger-Payne breach of promise and seduction case was again before the court on motion for continuance on the part of the defendfor continuance on the part of the defendants at the continuance was that one of the defendant's attorneys, M. Campbell, had died April 6 and that he was unprepared for trial. The motion was overruled and the case set for trial tomorrow.

The plaintiff in this action, Miss Rhoda A. Geiger, was born and raised at Hebron, O., and is now 30 years of age. In the fall of 1892 she came from Newark, O., to Mt. Ayr. Ia., and at once began to advertise When Buying herself as an instrumental music teacher. She remained for several months and finally returned to Ohio. At the time Miss Geiger came to Mt.

Ayr the defendant, A. C. Payne, was living with his family, which consisted of a wife, grown up daughter and son. Mrs. Payne, who was an invalid, died in the fall of 1893 of consumption. Payne, who is a man of 50 years of age, formerly a farmer, but of event years a prominent money loaner and ote broker of Mt. Ayr, became infatuated with Miss Geiger and at once began paying her the attentions of a lover. The evelopments and allegations in the pleadings in the case would lead to the conclusion that his attentions were most heartly reciprocated, although the good people of this community had no rumor even of any relation between the parties until the month of August, 1894, when Miss Geiger began an action against Payne for \$50,000 damages for breach of promise to marry. The case was fought through the September term on motion for cost bonds, continuance, etc. To the great surprise of many the action was dismissed October 11 and on the same day a new action was begun, differing from the first only in adding to that of breach of promise, seduction. In the meantime Miss Geiger claimed to have gained a residence in Mt. Ayr, and according to the showing made in court she was not required to give bonds for costs. The court house can't furnish room for the immense crowd of peopl who are anxious to hear every stage of the

Mrs. J. P. Maines Bicked to Death. GUTHRIE CENTER, Ia., April 24.-(Spe-GUTHRIE CENTER, Ia., April 24.—(Special Telegram.)—Mrs. J. P. Maines, living on a farm six miles south of Guthrie Center, was kicked in the head by a horse and killed this morning. Mr. Maines and wife are old settlers of this county and have one of the best and largest farms in the country. She was about 25 years old.

Mrs. D. A. V. Brumbaugh, living eight miles north of Guthrie Center on a farm, took polson yesterday with suicidal intent. She was successful. Mrs. Brumbaugh was about 35 years old and leaves a family. No cause for the act has been reported. Profits. - - -Prof. Larrabee's Promotion.

CRESTON, Ia., April 24,-(Special Telegram.)-Prof. H. B. Larrabee, superintendent of Creston's public schools for elever years, has resigned his position to accept the principalship of the Stanberry, Mo. the principalship of the Stanberry, Mo., normal school. Robert McKay of Chicago is likely to be his successor.

Peter Kochler, a prominent farmer, was thrown from a buggy while going home from church and died from the effects of his injuries this morning.

Burglars' Work at Des Moines. DES MOINES, April 24.-(Special Telegram.)-Burglars last night robbed the Des Moines street railway central station of fifty boxes of cigars, and the drug stere at Fifteenth and Grand avenue of several boxes of cigars and a small amount of money in the safe, which was blown open. It was evidently the work of the same Damage by Fire at Tipton.

CEDAR RAPIDS, Ia., April 24.-(Special Telegram.)-Six frame buildings at Tipton were destroped by fire this morning. Loss on buildings and stocks, \$40,000; insurance, \$17,500. The fire is supposed to have been the work of an incendiary.

Fire at | edar Rapids. CEDAR RAPIDS, Ia., April 24.—(Special Telegram.)—At an early hour this morning fire in Olsen & Jaynes' overall factory caused a loss of \$10,000, fully insured. The origin of the fire is not known.

JUST AT THIS SEASON.

What Is It That So Strangely Effects People Now Days?

"There is an epidemic of tired feelings at this time of the year." The speaker was a prominent man, "This weather is very exhausting," he

added, "and even the strongest people feel its debilitating effects. "There are few men or women who do not get up in the morning with a sense of exhaustion and a desire for more rest, This," he said, "shows that the system is

in a low condition and needs stimulating, To overcome this weary condition I know of nothing better than the use of a pure whiskey, because it quickens the blood and purifies the body as nothing else can do." It should be remembered, however, that there is only one pure whiskey recommended by physicians, and that is Duffy's Pure Malt. It is unlike all other whiskies, being entirely free from Impurities and

Under no circumstances permit any drug-gist or grocer to deceive you on these points, for they are truths which have been proven in the history of hundreds of men and

Fruit Trees, Buy the best.

A minute lost can never be recovered, and it's a calamity to lose several years, which so many lown and Nebraska people have done when they have bought foreign grown, unacclimated fruit trees.

MENERAY BROTHERS.

THE CRESCENT NURSERY.

Were born on the lands where their nursery stock is grown, and years of patient, inteligent experiment have taught them the best varieties for this climate. Consequently their home grown stock is as hardy as the forest trees. They have a very large stock for the spring delivery and every large stock for the spring delivery and every large stock. Lawn, Parking Trees and Ornamental stock Make no mistake in your orders. Send us your list of wants for prices. We can please you in prices and stock. References: Council Bluffs Banks, Council Bluffs Department Omaha Bee, and prominent business men, Nurseries six miles north of Council Bluffs, P. O. Address, MENERAY BROTHERS.

MENERAY, BROS., Crescent, Iowa.

12,000

GEO. P. SANFORD, A. W. RIEKMAN,

of COUNCIL BLUFFS, lowa

Capital, - - \$100,000

One of the oldest banks in the state of Iowa. We solicit your business and collections. We pay 5 per cent on time deposits. We will be pleased to see and serve you. MESSMORE & CLEMENT,

BROKERS GRAIN, PROVISIONS, STOCKS, 503 4 Broadway, Grain handled in car load lots. Tel. 203. COUNCIL BLUFFS, IOWA.

Special Notices-Council Bluffs

CHIMNEYS CLEANED; VAULTS CLEANED, Ed Burke, at W. S. Homer's, 538 Broadway. FRUIT FARM AND GARDEN LAND FOR sale cheap and on easy terms. Day & Hess, 39 Pearl street. WANTED, MEN TO CHOP WOOD AND PLOW and break new land, 3 miles from Council Bluffs, Apply to Leonard Everett, Council Bluffs, Iowa.

FOR SALE, 5 ACRES OF SPLENDID GARDEN land, near Mynster Springs, on time, at 6 per cent laterest. Apply to Leonard Everett, Council Bluffs, Iowa.

LOST, LADY'S SWORD PIN, ON BROADway, Sunday night, Reward for return to Dr. G. W. Pangle, 555 Broadway. GOOD HARD WOOD FOR SALE IN COUNCIL. Bluffs, \$3.90 per cord. Apply to Leonard Ever-ett, 16 Pearl street, Council Bluffs.

FOUND, HICYCLE TOOL BAG, APPLY TO Bee office. FARM LANDS TO EXCHANGE FOR CITY property, C. R. Nicholson, 5391/2 Broadway. VACANT LOTS TO EXCHANGE FOR HORSE and buggy. C. R. Nichelson, 5301/2 Broadway.

CASTORIA

for Infants and Children.

gestion,

Without injurious medication.

"Castoria isso well adapted to children that | Castoria cures Colic, Constipation, I recommend it as superior to any prescription | Sour Stomach, Diarrheea, Eructation, known to me." H. A. ARCHER, M. D., 111 So. Oxford St., Brooklyn, N. Y.

"The use of 'Castoria' is so universal and its merits so well known that it seems a work of supererogation to endorse it. Few are the Intelligent families who do not keep Castoria

within easy reach," CARLOS MARTYN, D. D.,

New York City.

'Castoria,' and shall always continue to do so, as it has invariably produced beneficial results." EDWIN F. PARDEE, M. D., 125th Street and 7th Ave., New York City.

Kills Worms, gives sleep, and promotes di-

"For several years I have recommended

THE CENTAUR COMPANY, 77 MURRAY STREET, NEW YORK CITY.



SHERMAN & McCONNELL DRUG CO., 1513 Dodge street, Omaha, Neb.

A FACT. DAVIS' DRUG, PAINT AND GLASS HOUSE

Carries a larger stock of glass than all the other drug houses in the city combined. 200 Broadway.

"Doris"

Cleaning and Dyeing of Garments and Goods of Every Description. Schoedsack's Twin City Dye

Works, Cor. Avenue A and 26th St., Council Bluffs. Office, 1521 Far nam St., Omaha.

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