THE OMAHA DAILY BEE: SATURDAY, JANUARY 30, 1897.

AMEND THE ELECTION LAWS

COUNCIL BLUFFS DEPARTMENT

MINOR MENTION. Clark & Wotzel, I. O. O. F. blk., art par Clearing sale prices in cleaks at the Bos-Miss Scama Williams is visiting friends in Stolen Article. George Rudio returned last night from a business trip to Denver. Cercal conce, the great health drink, can be had at Hartel and Miller's. 20 to 50 per cent saved by buying dress goods and cloaks at the Boston store this

Finicy Burke left last evening for a business trip to points in Tennessee. He will be absent a week.

ton store

Perry, Ia.

For rent, office and store room, 50x100 feet, in good implement warehouse. Ad-dreas Marseilles Manufacturing company,

Council Bluffs. Miss Jennie Kenting has been absent from her place at the cashier's desk of Metcalf Bros. She is confined to her home by an attack of the grip.

Ohio Know received word yesterday that his father had died at the old home In Fredericksburg, O., and he left for that

David Devine, a police court divinity, who is accounted an old offender, has been sent to the city jall to serve a sentence of ten day, on bread and water.

The members of the Western Iowa Poultry, Farm and Garden association met at the rourt house last evening and selected No-vember 29 to December 4 as the dates for the was represented as being without a coat and next meeting.

All winter goods being closed out at a sacrifice at the Boston store.

C. V. Nieman & Co., 522 Broadway, dealers in stocks, grains and provisions. Corre-spondents of James E. Boyd & Co., Omaha They will furnish market quotations by tele-phone at any time. 'Phone 129.

The friends and patrons of the Robinson Conservatory of Music will enjoy "An Even-ing with the Tone Masters," at the conservatory tonight. A fine program will be ren-dered by Misses Virginia and Belle Robin-

Perhaps you haven't heard of us. Just woke up, ch? Well, we are the poople who have learned to do one thing well. That We are to turn out fine laundry work. everywhere as the Eagle Laundry, 724 B'way.

A case of scarlet fever was reported yes terday at the Lacey residence, 411 East Wash-ington avenue. The case is directly charge-able to disregard of the rules of the Board of Health in a case that happened there a short time ago.

G. W. Skinner secured a change of venue yesterday and Justice Burke will hear the story of his trouble with Constable Alberti and Lawyer Crawford while they were atmpting to levy a landlord's writ of attachment upon his household goods.

Rev. T. W. Williams will give a ten-minuto talk at the DeLong Industrial school the treasury to purchase records, dictionfor girls this afternoon. The school begins aries, maps, charts, and apparatus for the at 2:30, and the work commences at 3 use of the schools of their districts, but call and see the character of work that is These sections have been construed by the

The insurance companies have adjusted the losses austained by the Ogden house by Sun-day night's aggravating fire. Contracts day night's aggravating fire. Contracts amounting to over \$100 were let to paperhangers and cleaners to remove the traces of the dense volumes of smoke that filled a large portion of the hotel and completely

ruined the paper in many of the rooms. The work of renovating was begun yesterday. The repairs in Trinity Methodist church, made necessary by the Christmas night fire. will not be completed in time to permit the congregation to hold services in the auditorium, but the basement will be ready, and the usual services both morning and evening will be there. Rev. D. C. Franklin, presiding elder, will occupy the pulpit at 10:30 and will administer the

BOARD CANNOT PAY FOR IT JURY RETURNS A SEALED VERDICT. Miller Damage Suit Against the Sheriff is Concluded. It required another full day and an hour State Law Will Not Permit Replacing : after supper yesterday to get the Miller damage case against Sheriff Morgan in shape to turn it over to the jury. The legal battle was earnestly fought all day and the session JOHNNY DUGGAN LOSES HIS OVERCOAT was continued until nearly 6 oclock for the purpose of permitting the attorneys to make their address to the jury. Judge Thornell had his instructions prepared when the ar-Secretary Dawson Looks Up the Law guments closed, but concluded to hold a brief evening session for the purpose of and Presents a Report Setting Out the Board's Powers reading them to the jury. The defense had Deputy Sheriff Compton in the Matter.

In compliance with instructions from the Board of Education Secretary T. C. Dawson,

who is also attorney for the board, has searched the school laws and other statutes for the purpose of ascertaining if the board

can legally pay for property stolen from pupils of the public schools while it is practically in the custody of the board. The instructions were given at the last meeting

take the place of one stolen from the closk

his parents in too straitened circumstances to buy another. A majority of the members were anxious to repair the loss, but the dan-ter of establishing a precedent made them Cross-examination of Deputy Compton ger of establishing a precedent male them cautious. The attorney was therefore ordered to carefully investigate and report at the next meeting. He has finished his in-

juiry and has found that the board has no authority to use the money of the district for the purpose contemplated. In his report Bays:

"There are three funds provided for by There are three funds provided for by the school laws of Iowa against which or-ders may be drawn by the board, the teach-ers' fund, the school house fund and the contingent fund. It is manifest that the

The money collected by district tax and

oard has no authority to make an approworks ofbow riation for such a purpose out of eithe The jury retired to consider the case about the school house fund or the teachers' fund; they are levied exclusively for the purpose o'elnek. fined the powers of an officer in the dis-charge of his duty, and emphasized the declaration of the statute that all officers or private citizens have the right to arrest of erecting school houses and paying the eaching force. It is out of the contingent It is out of the contingent fund. If at all, that such an appropriation nry be made. The law applicable to the contingent fund is contained in sections a criminal when they are reasonably sure that he has committed a crime. The court declared that if officers were compelled to 1748 and 1729 of the code. The former reads:

wait until they proved suspected criminals designed for rent, fuel, repairs, and all other contingent exponses necessary for to be guilty they would never make an arrest keeping the schools in operation shall be Judge Thornell sustained the motion for called the contingent fund.' Section 1729 dismissal in the case of James, plaintiff in reads: 'They (the board of directors) may one of the other cases, and the case was stricken from the docket. James refused to

go back upon his settlement with Compton and the court held that he had the power to make a settlement and that the instrument he signed was binding and final. Hearing of the Kelley case, the last of the trio, has been indefinitely postponed.

being done, and how it is done. Elder Columbus Scott of Des Moines will speak at the Latter Day Saints church next Sunday morning at 11 o'clock; subject, "Watchman, What of the Night?" Elder T. Watchman, What of the Night?" Elder T. Watchman, What of the Night?" Elder T. be applied." An appropriation for a coat tures Sunday evening. Subject: "Predesti-nation, or is Man's Life Action, Death and Future Condition Foreordained?" The insurance companies have adjusted the applied with the sume and appar-The jury returned a sealed verdict last night. Hewitt Wants Damages. George W. Hewitt, a local attorney, was sued in the court of a justice of the peace whose office is located about twenty miles out in the country. The suit was set for hearing on the 23d Inst., one of the coldest days of the late cold snap. The Council

of that general clause, 'all other contingent expenses necessary for keeping the schools Bluffs attorney had neither the disposition operation,' as it has been construed in the case cited. "The court says that 'necessary' things icy means 'indispensably requisite;' that the contingent fund can be used only for things

to the indispensably requisite for keeping the schools in operation; things without which stituted by County Superintendent Paulson in the name of his daughter, Maggie, to se cure a claim for services as typewriter and the schools cannot be successfully con-ducted. It was held there that an approprito \$18.17. A claim was also made for \$10 ation for a lightning rod could not be made damage on account of Hewitt's refusal out of the contingent fund unless it appay the debt. The case was tried and a peared that the appropriation was for a judgment entered for everything claimed by Justice Lars Jensen of Boomer township. repair of the lightning rod, or to replace one that had become useless by age.

"It is clear, that under the rigid con-struction of that clause adopted by our Yesterday Hewitt filed a petition in

Proposed Legislation in Iowa to Prevent Fusion of Parties.

COMMITTEES OF BOTH HOUSES ARE AGREED Women Suffragists Address the Senate_Speaker Byers Rules that Bills Need Not Be Read In

Full the Third Time.

DES MOINES, Jan. 29 .- (Special Telegram.)-The legislature is almost certain to adopt an amendment to the Australian ballot law that will make fusion of political once on the official ballots. It has been the custom for democrats and populists to name their two itckets with no difference except the name at the top. This will be prohib-

when Attorney Wadsworth went upon the stand and told what he personally knew about the settlement. The young at-torney is alone in the case and there was consequently no friendly ited. A candidate of the democrats cannot go on as a populist candidate also. This will mean that the two parties must merge into one, with a tition. In every county the populists have decided they will get the petitions and main-In every county the populists have tain separate organization. The amendment to the lowa law is copied from one just

presented in Illinois, which is also designed o prevent fusion. In the senate the event of the day was the visit of the National Woman Suffrage association, a number of whose prominent members made addresses to the body. There was a long discussion of the question of al-

it was the image of her. When Mrs. Miller lowing fees to county officers, without relearned from the cross-examination that all of the fine things Compton had said to her sult In the house Speaker Byers ruled on the were but a part of his cunning plan to get question of third reading of bills. It had been found that if all bils must be read in her consent to the settlement she snorted her resentment from her place at her at-

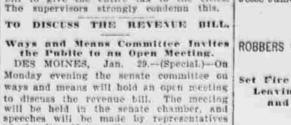
full on third reading, the session would b almost interminable. After careful investi gation the chair announced that a complete The court in its instructions dereading would be held unnecessary, the courts and parliamentary authorities so holding. This will greatly facilitate business The senate ways and means committee held a long meeting tonight and decided that it will report the revenue bill, with a pro-vision that all property shall be listed by assessors at 100 per cent, and that the super-visors shall take 33% per cent of this as a basis for taxation. The meeting was devoted to an animated discussion meeting of the basis of assessment and in the vote nine favored 33½ per cent; two for 25 per cent; one for 30 per cent and three for 40 per cent. The committee believes this will equalize taxation as between counties and improve the situation very much. The house bill is a straight 100 per cent measure, but it is believed that body will compromise and that 40 per cent is likely to be the result.

The railroad committees of the two houses held a joint meeting to hear representatives of the Traveling Men's association and jobers present their arguments for a 2-cent

fare bill. No vote was taken, but the tenot of the discussion and questions make it doubtful if a single member of either committee favors the proposition. There was a good attendance of representative jobbers and traveling men, and a dozen speeches were made.

PROPOSE A JOINT COMMITTEE

Are of Little Service, DES MOINES, Jan. 29.-(Special.)-How est to control state institutions is a question that is receiving a great deal of attention at the hands of legislators. The old scheme of sending visiting committees of the two couses at the opening of each session is in disfavor. It has been found that the committees generally learn little of value n preparing the appropriation bills, and



of the Des Molnes Commercial exchange the city's jobhing interests, attorneys for railroads, and other interests that have desired to be heard, and probably some questions will be asked by members of the com-mittee. It will be practically a meeting for the benefit of the ways and means commitquite a unique affair, presided over by Chair-man Funk, of the ways and means, and a large attendance is expected. The corporation people are taking much interest Rapids will be on hand with his speech against a higher basis of assessment than

counties any interval in the saloon tax.

the present one Think His Brother is the Hishop. FORT DODGE, Ia., Jan. 29 .- (Special Telegram.)-The statement that Rev. Mr. Leniommon name, or nominate different tickets. han of Boone has been raised to the position Since the election it has been found that in of bishop of Cheyenne is thought by Roman many counties the election boards made no Catholics here to be wrong. It is known separate counts of votes for candidates on that his brother, Rev. Thomas Leuhan of result there is no record of the number of votes cast for the populist ticket, and it cannot get on the next ballot except by pe-tition. In every county the populist is populate be tively for him.

Charitles Benefit from the Ball. CEDAR RAPIDS, Ia., Jan. 29 .- (Special

took fire.

Patition for Free Text Books.

DES MOINES, Jan. 29 .- (Special Telegram.) -Three of the large school districts within -Three of the large school districts within the city are circulating petitions to their boards to submit at the spring election the question of free text books, under the lowa law. One district has tried the plan for everal years, and it has resulted in a large i ncrease of attendance and diminution of exsense to parents.

Bondsmen Make Good the Shortage.

HUMBOLDT, Ia., Jan. 29 .- (Special.)-The ondsmen of the defaulting county treasurer, Lindley, today settled his shortage. Twenty-one out of twenty-three of them paid their shares. The total shortage made s \$19,000, which was lost on the Board of Trade. South Omaha News.

In investigating the error of \$15,000 found n the books of the Board of Education it has been found that the mistake was made by the expert accountant who went over the

f \$15,159.60

Annual Visits to State Institutions

for three years.

HOLD UP AN EXPRESS TRAIN present half goes to the city and half to the county; except that all in excess of \$600 a year goes to the city. Representatives of the cities have been here lobbying for a bill to give the entire tax to the cities. Jesse James Exploit Excites the Good People of Oregon.

ROBBERS CRACK THE SAFE AND ESCAPE

Set Fire to the Express Car Before Leaving Fireman Slips Away and Gives the Alarm_Posse Now in Pursuit.

FORTLAND, Ore., Jan. 29 .- The northbound overland train which left San Francisco Wednesday and is due here this morning was held up two miles west of Roseon the stand for a long time and every farties impossible. The election committees tees of both houses, as most of the house burg, Ore., early this morning. As soon feature of his settlement of the case with of both houses are agreed on an amendment Miller and James was brought out. County to prohibit any name appearing more than quite a unique affair, presided over by Chairthe alarm, arming himself quickly, as he the same candidates when fusing, and have and it is expected Judge Hubbard of Cedar started back to the scene of the trouble. Superintendent Fields of the Southern Pacific road, who was at Roseburg, guickly

explosions of dynamite or powder were distinctly heard at Roseburg, During the progress of the holdup the light of either a

ivnamite. Two small safes in the car word en blown open. The express car then ok fire. The conductor and trainmen

had gone, but the car and contents were destroyed. The train was on time at Shady Point, where Engineer Morris saw a mas-at the side of the track, waving a flag. He slowed up for the signal, and as he brought

ing a revolver, ordered the engineer not to att-mpt to move the train, but to come down with them and go to the express car. The iremen in the meantime had got down on

the other side. The two robbers and the engineer then The two robbers and the engineer then went to the express arc, where the robbers ordered the express messenger to open the door. This, the messenger refused to do. The robbers then uncoupled the express car, returned to the engine and backed the train, leaving the express car separated. Meantime the express car separated Meantime the express messenger had seized the opportunity to step out of one car. After breaking the train in two the robbers reurned to the express car, and with heavy charges of dynamite blew the door open. Entering the car, they attacked two small safes which they succeeded in entering. The messenger thought the robbers did not succeed in getting into the big safe, and con sequently they could not have secured much

money. The explosions set fire to the express car. and when the robbers left it was a mass of flames. The crew worked like trojans, but coks last summer. The expert made a report covering the period from July, 1893, to July, 1896. He had entered the amount of were unable to save it. The car and conhe state apportionment for three years at were unable to save it. The car and con-tents were almost totally destroyed. The passengers were considerably frightened, but no one was hurt. The holdup will make the train ten hours late getting into Port-land. An imperfect description of one rob-\$28.246.78, when in fact the amount should tave been \$13.087.18, thus making an error This occurred by the expert nserting the total amount received as state apportionment from the organization of the school district instead of the apportionment per was secured.

PORTLAND, Ore., Jan. 29.—The Southern Pacific train which was held up early this morning near Roseburg arrived here this afternoon. Charles Piper, the postal clerk expected, and as was shown by the books before the error was discovered, there will be a shortage of nearly \$6,000 Instead of there being a balance in the funds at the end of the school year, as was "Two men

before the error was discovered, there will be a shortage of nearly \$6,000. Deducting the receipts for the next school year, which consist of saloon licenses, tax levy, state apportionment and police court fines, and basing the 1897 levy on the same valuation as 1896 there will be a shortage danger. One of the robbers drew his re-volver on me while he went through the mail. I don't believe he took anything of valuation as 1896, there will be a shortage

torical society was one on the growth of Jewish population in the United States, in the course of which David Sulzberger of-Philadelphia, the writer, stated that the num-ber of Jews in the United States had ins, creased from 3,000 in 1813 to over 400,000 in The time and the day for the next convention was left to the executive council to select and the convention adjourned after electing

GROWTH OF JEWISH POPULATION.

Statistical Paper Read at the Meeting of the Historical Society.

BALTIMORE, Jan. 29 .- The principal paper

read at today's session of the Jewish Hig-

the following officers: President, Oscar Strauss; vice presidents, Simon W. Roven-dale, Mendes Cohen, Dr. Herbert H. Adams; corresponding secretary, Dr. Cyrus Adler; recording secretary, Dr. Herbert Friedenwald; treasurer, Prof. Richard Gothiel, Additional members of the executive council: Dr. B. Felsenthal, Prof. Morris, James Low, jr., Mayer Sulzberger, N. Taylor Phillips, Simon Wolf, J. H. Hollander, Max J. Kohler, John Samuel, Dr. David Phillipson

engine and ran on to Roseburg and gave 15 SATISFIED TO LOSE THE CASE.

One Sult for Damages at Pierce that Disposes of Three. PHERCE, Nob., Jan. 20.- (Special)-The case of August Liebenwald against Edith took a powe of a dozen armed men and an Speering was tried yesterday in Judge Meengine and started for the scene. Heavy Donald's court. Liebenwaid such to collect an account of \$110, but the defendant set up a counter claim of \$1,000 for breach of promise, and also claimed that the money received from Liebenwald was for the pur-pose of paying for court proceedings to se-cure a divorce from her husband. The jury brought in a verdict for Mrs. Sprering, but

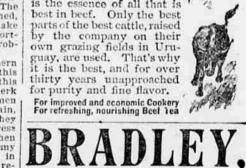
H. T. Barnbart, attorney for the plaintiff, regards this as a victory for his client, as developments in the trial disposed of the counter claim of \$1,600 for breach of promise, and also a suit for \$5,000 for the same cause that had been instituted in the district court.

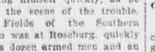
The court room was full of spectators, as the case was very racy and interesting throughout.

Authorized to do Business

LINCOLN, Jan. 29.-(Special.)-The Packers' Eanking and Loan association of South Omaha, the incorporation of which was published several days ago, was today authorized by the State Banking Board to transa business. The capital stock is \$1,000,000. transact







fire or torch was seen. Fireman Hendricks stated that the train was first flagged by the highwaymen, the express car then looted and burned, and the safe blown open. No one was hurt and the highwaymen succeeded in making their escape.

PASSENGERS NOT MOLESTED.

SAN FRANCISCO, Jan. 29 .- The following articulars of the robbery near Ruseburg, ore, were given out by Southern Pacific micials here. Train No. 12 was held up at Shady Point, two miles south of Roseburg, by two men. The express car was detached from the train and the door blown open with

Telegram.)-The Board of Associated Charlties

worked hard to save the car after the men

announced today that as a result of the

opening of the new union passenger statlo: last night in its behalf it has realized \$700 in cash and \$600 worth of provisions, clothing and fuel. The result is a surprising one, in-asmuch as a majority of the ministers of the city opposed the movement.

Lord's supper. Ladies' and men's underwear at special

reduced prices this week. BOSTON STORE. Counterfeiters, or more properly, "shovers Counterfeiters, or more properly, "shovers of the queer," operated quickly and suc-cussfully on Upper Broadway last night. Up to 11 of clock eight or night shows and store to 11 o'clock eight or nine shops and stores had reported the reception of bogus money. The parties who passed the stuff were a man and woman. The police are in posse sion of excellent descriptions of them and it is scarcely probable that they will be able to leave the city, unless they go through the country without being detected.

At the county auditors' convention, which in session at Des Moines, County Auditor Matthews spoke upon the question of the authority of auditors to change books of the assessors. Mr. Matthews holds that the township trustees of the local equalization boards are the only persons authorized to make changes, and when the books of the assessors are returned to the auditor he has only to spread the taxes and hand to the treasurer for collection. Mr. Matthews was also placed on the committee of reference of reports and the committee on legislation.

The Woodward Theater company played "Myrtle Ferns" at the Dohaney last night to an immense audience. Hundreds were to an immense audience. Hundreds were content to stand up through the entire two hours and a half and were well repaid. The company is very strong in this play, and the specialties of Mr. Ruch and Miss Cleve, together with the wonderful magnizeope make an entertainment that is hard to beat Matinee today, "Micked Pickles;" tonight "Princess and Pauper," in five acts, with new specialties, and eight new pictures on the magniscope. This will be the last chance to see this wonderful machine and excellent company.

John Scherer was sent to jail for thirty John Scherer was sent to jail for thirty days yesterday by Judge McGee after the swidence was heard supporting the charge that Scherer had stolen an axe from the hardware department of Zoller's store. A twelve-pound caddy of tobacco was also before the court and was identified by Zol-resolutions were made just as strong as ler as his property stolen from his store. ler as his property stolen from his store on Monday night. It was found in Scherer's home at 103 Broadway after the house had been searched on a warrant. Scherer claimed that he was obliged to steal or starve, and said he had taken the tobacco for the reason that he had no money and must have tobacco. Scherer was married on January 7 to a young girl of excellent family. Both are little more than children. The Boston store's big January clearing

goods sale to continue all this week. Superintendent Hisey and Prof. Heyden came to the assistance of Henry DeLong yesterday with a scheme that materially lightened his labors in collecting food and clothing for the hundreds of hungry and naked people daily clamoring for help. They instructed the teachers in several of the school buildings to ask their pupils to bring whatever their parents felt willing to give toward relieving the distress of the poor to the school buildings, where it could be turned over to Mr. DeLong. The result yesterday was astonishing. Several wagon loads of old clothing for all sizes and seves were brought to the building. Madison avenue, Twentieth avenue, Avenue B, Washington avenue and East Pierce street s contributed most liberally. Pierce school children donated the largest amo Pierce street clothing. The donations consisted of prov-sions, as well as clothing.

C. B. Viavi Co., female remedy. Medical consultation free Wednesdays. Health book furnished. 309 Merriam block.

N. Y. Plumbing company. Tel. 250.

William Lineberger Indicted.

Yesterday the tranquillity of the gambling fraternity was rudely shaken by the arres of William Lineberger, one of the most

prominent members. The arrest followed an indictment returned by the grand jury dur-ing the afternoon. It can scarcely be said that Lineberger was arrested. He was sim-ply notified promptly of the return of the in-dictment and came forward with the necess-sary ball bond sary hall bond.

Nothing could be learned about the inten-tion of the presecution or the power behind it. Lineberger has been conducting a gam-bling hall in Council Bluffs for about fifteen years with a few slight intermissions.

district court supreme court, the contingent fund of the district cannot be used to pay for lost prop-erty of pupils, and that this is true whether claim, I am, nevertheless, reluctantly forced to the conclusion that the board of direcdrawn, nor have the president and secretary a legal right to sign the order referred to in the resolution of the board."

FAVORS THE LOUD POSTAL BILL.

Merchants' and Manufacturers' Associntion Discusses Timely Topics. The executive committee of the Merchants' and Manufacturers' association held a meeting last night in the assistant secretary's office and discussed several important matters that have arisen within the last few days. Information had been received that therd was a possibility of relocating an im-

therd was a possibility of relocating an im-portant industrial enterprise in this city. All that the committee could do toward fur-thering the project was done. A resolution congratulating the Chicago, Burlington & Quiney rallway management upon the inauguration of the important change in the operation of its passenger trains, which goes into effect tomorrow, and which sends the splendid vestibule flyers from Omaha through Council Bluffs, instead rom Omaha through Council Bluffs, instead The secretary of Plattsmouth, was adopted. was instructed to forward the resolution to the company's headquarters in Chicago, with a letter expressing the opinion of the assolation that the change would not only be eneficial to the city, but to the company, and o assure the officers that the people of

Council Bluffs would appreciate a change that they had sought to have made for many

clause in the multi license liquor law. The resolutions were made just as strong as good vigorous English could make them, and the scretary was instructed to forward ouse had them to the members of the Pottawattanile prayer for many years. Scherer delegation in Des Moines at once, with permission to write an accompanying let ter that would make the position of the association still more clearly in favor of

the desired change in the law. A copy of the petition was presented to the committee strongly advocating the adopion by the national congress of the Loud ostal bill. The bill was discussed at some tion by postal bill. The bill was discussed at some length, some of the members favoring and others opposing it. The president and secretary were finally instructed to sign the position with the name of the association and forward it to the Iowa delegation at

Washington. The question of membership of the asso-lation was again discussed, and it was deided that Assistant Secretary Judson should ut in some time next week with members of the committees soliciting new members. President Rohrer declared that every man

who owned his home or had any fixed in-terest in the welfare of the city should be a member of at least one of the commercial bodies.

Hermes Again in Trouble.

Old man Hermes, whose home is in th western part of the city, near the motor ridge, was ordered to be sent to St. Bernard's hospital yesterday by the county authorities. Hermes has made his friends a great deal of trouble, and has annoyed the police with numerous complaints about the reatment he alleges to have received from treatment he alleges to have received from his children. On numerous occasions he has asked for warrants for the arrest of his sons, but upon investigation, the charges were found to be groundless. Several days ago he left his home and took up his abade at Coyle's saloon at Eighth avenue and Twenty-first street, and for the last three days he has remained there day and night, de-spite protests and threats. He could not be induced to leave the place when the offi-cers arrived to take him to the hospital, and gentile force was necessary.

gentle force was necessary. Hermes' trouble dates from the rebuilding of the Union Pacific railroad bridge along in the '80s. He worked in the calssons through-

cumstances under which the judg-ment was obtained and asking to have cumstances it annulled. He alleges that Miss Paulson was not at the time of bringing the suit and never had been a resident of the locality where she brought it, but that her home was in Council Bluffs. He also alleges that all the usual forms of legal procedure were set at naught by Justice Jensen, who per-mitted the suit to be brought without a written petition and neglected to serve an original notice upon the defendant. In ad-dition to having the judgment annulled Hewitt asks the court to award him \$105 amages against Maggie.

the courage to face the blasts and ride forty miles

reciting the

defend his suit, and he let case go by default. The suit was in-

tenographer in Hewitt's office, amountin

Attorney Saunders, Deputy Clerk Balrd, Ballin L. B. Cousins, Constable Alberti and

Dick Webster were called by the defense to show various features of the settlement.

The interesting event of the afternoon was

associate to propound leading questions. He

was obliged to play the part of an attorney

and wilness and solemnly ask himself the questions he wished to have answered. The

testimony was tedious, but interesting. At its close the attorneys for the other side

called the attention of the attorney to the fact that his witness had neglected to tell

the court his name, whether he was a man, woman or child, or whether he lived in

showed that he used consummate tact and skill when he visited the Miller residence

one night last week and made the settle

meat with them. He chucked the baby under the chin, tickled its little toes, told

the mother it was the sweetest and hand-somest baby he ever saw in his life and that

Mission Work Will Continue. Rev. Mr. Mershon of Glenwood will as-

sist the women of the Fifteenth Street mistion for several days. Meetings are being held nightly and the women of the mission are doing a great deal of good in their min-istrations among the poor and lowly. The

cold weather has made the expense of keeping the mission open much greater than usual and the women were partly inclined

to discontinue the religious features of the nightly meetings. The matter was put to a vote at the meeting on Thursday night. and every one present voted in favor of con-tinuing. A feature of the work that has been productive of good results is the weekly meeting held at the county jail each Thurs-day afternoon. At first the women were mst with jeers and gibes and earnest pray-ers were often answered with catcalls and thald songs from profane lips, but now the prisoners look forward to Thursday aft rnoons with a good deal of interest. Many of the prisoners have made professions of religion, among them Emil Jeanet, who is under sentence to the penitentiary for one year on the charge of forgery. The meetings are held in the jail corridor. The prisoners ony the most respectful attention and on

Thursday every man in the jail took an interested part in the services. Mrs. Sawyer, the female bootlegger from Shenandonh, was deeply affected by the earnest prayers of the women at Thursday's meeting and admitted it was the first time she heard a

Another U. S. M. B. A. Suit. The United States Masonic Benevolent as

sociation was called out upon the judicial carpet again yesterday and was made de-Council Bluffs, owners of the Mesonic block, on the corner of Broadway and Fourth street, where the company has maintained offices for eight years, claiming \$3,750 from the insurance company as rent due on a lease dated January 1, 1894, and running five years, at an annual rental of \$1,800

amount covers the unexpired portion lease, and only \$150, or one rent, is due. The petition makes the usual allegations that the defendant company is about to dispose of its property with interto defraud its creditors. An attachment is asked for by which the property of the pany that is still here can be selzed and held until the unpaid rent is settled.

Grand Jury Indictments.

killed an old man named George Bank, whom he met in the alley while flying from pursuit, was indicted for assault with in-tent to inflict great bodily injury. Ross has been in jall since his arrest. S. E. Gheer was indicted for his abort obspue deal with Conductor Betra I. Swith change deal with Conductor Peter J. Smit of the motor line on November 6. Gheer i Smith

omewhere in Illinois, out on bail procured y his aister. The third and last indictment was against William Lineberger for the offense of main-taining a gambling establishment at 503 Broadway

A number of other cases that were con sidered to be important were ignored. Concert Tonight.

The Misses Bella and Virginia Robinson will give a program of "Modern Romantic out the job, and was frequently under enor-mous atmospheric pressure. Many times he was attacked by the "calsson disease," and the combined effect has weakened his mind. Music, "for piano and violin, at the Robin-son Conservatory of Music, 410 Broadway, tonight. Admission, 50c. Pupils of conserv-atory free. Music," for plano and violin, at the Robin-

here is no chance for them to discover any of over \$20 nismanagement of affairs, because their coming is always expected. The whole perprmance costs a week of the session and several thousand dollars, aside from the running expenses of the assembly, which go on as if usiness were in progress.

A new scheme is under consideration which may be made a feature of the new code. It is to have a joint committee appointed at each session, of four representa-tives and three senators, which shall during each year visit each institution at least expert accountant into its affairs and their

conduct, and carefully report to the suc-ceeding session. The committee is to be aid actual expenses and mileage and a small oer diem. The whole expense, including the salary of an accountant, is calculated at about \$3,000 a year, and those who favor

t say the results would be worth many imes this. CITY OFFICIALS WILL ESCAPE.

Grand Jury is Making No Serious Ef he entertainment.

fort to Indict the Guilty. DES MOINES, Jan. 29.-(Special.)-The Polk county grand jury has now been in session over two weeks, and has failed to re port an indictment in may city hall case. Not only this, but it has not manifested a disposition that is pleasing to those inter ested in the prosecution. The persons under suspicion have admitted that they expected to be indicted, but expected that they would escape on trial; but now serious supicions are entertained that the jury will, on tech icalities, avoid even returning indict-nents. The difficulty is to locate the blame for crookedness. The bill that were raised by officials, for instance bills might have been raised in any one of two or three offices in the city hall, and any one of half a dozen persons in either case might have been guilty. To prove what particular office and individual was guilty

troubling the jury. More than this, the jury does not seem to e more that half in earnest in its investi-ation. Its most drastic inquisitorial efration. forts thus far have been applied to pumping newspaped men who were considered to have been too free in printing accounts of

rand jury proceedings. These have been on wo occasions taken before the jury to excarpet again yesterday and was made de-fendant in another big suit. A petition was filed by the Masonic Temple association of grand jury matters always do.

DEPOSITORS MAKE GRAVE CHARGES

Demand the Removal of the Receiver of the Sloux City Savings Bank. SIOUX CITY, Jan. 29.4 (Special Telegram.) -A committee of the depositors of the defunct Sloux City Savings bank today filed a petition in the district court, asking for the removal of Receiver F. B. Goss, and making a number of charges against the manage-ment of the bank not before made. The petition declared that the bank has prac-tically been insolvent for more than two

years with the knowledge of the directors; that the requirements as to bonds of the directors have not been observed for two

The grand jury made its final report yes-terday and was discharged. Van Ross, the he was the chief member aggregated negro who stole an armful of calleo from over \$20,000; that loans to the amount of the Boston store on December 19 and nearly nearly \$60,000 were finde to persons wholly shipment includes sixteen Hereford bulls, seven Galloway bulls and twenty-nine fine

for several days to permit a committee of de-positors to inspect the books. The search for Stone has continued, but nothing can be

learned of his whereabouts. oaus closed without delay. Supervisors Conclude Their Work. DES MOINES, Jan. 29.-(Special Telegram.)

The convention of county supervisors of way. Iowa concluded its work today. It resolved against any exemptions of property, except

churches and public property; against any changes in the revenue laws, except as will

changes in the resente laws, except as will tax stocks of goods, moneys and credits and corporations more nearly on the same basis as other property; for some minor changes in the Australian ballot law. The important action was a strong resolution against taking away from the

To pay mail. meet the deficit a levy of at least 15 mills made to the present school buildings as recmmonded by the citizens' committee it can only be done by issuing bonds.

Since it has been learned that a shortage Instead of a balance is in sight, all talk of making a 4-mill or 6-mill levy is useless. With a high levy the bond proposition wil hardly carry, at least that is the opinion of those interested in the matter. Just what will be done remains to be seen.

End of the Y. M. C. A. Contest. This afternoon at 5 o'clock the membersh contest between the Reds and the Blue of the Y. M. C. A. will be brought to a close test has been waged for two monthand both sides have quite a number of new members to report. The Blues have been in ter was captain of the Reds.

All of the bills for the recent minstre how are not in yet, but the managers figure hat the association will net about \$100 by

Magie City Gossip.

John M. Thornton is in the city, the guest f C. A. Melcher. Miss Josie Corcoran has returned from a trip to Atchison, Kan.

Benjamin Greibel, Broken Bow, is regis-tered at one of the hotels.

Mrs. J. M. Tanner entertained a numbe of friends yesterday afternoon. John E. Jones was married at Petosky

Mich., to Miss Francis Marshall. A son has been born to Mr. and Mrs. Ale hlegel, Thirteenth and O streets.

The Monday Night club will meet thi evening with Mrs. H. L. Dennis.

Peter Parde, a prominent Beatrice farmer s here attending to some business. The Drive Whist club met at the home of Mr. and Mrs. C. H. Watts last evening. Over 2,500 incandescent electric lights are

in use in South Omaha at the present time Ice twelve inches thick is being cut on the pond at Jetter's brewery. Forty more men will be given employment if they apply for work.

Charles O. Allen of this city and Miss Helena Olson of Omaha were married Thurs-day evening at the First Methodist Episco-pal parsonage by Rev. D. C. Winship.

Colonel E. P. Savage, Sargent, Custe county, is a visitor in the city. He say that farmers up his way are receiving about 10 cents more per bushel for corn than is paid here.

Mrs. T. M. Slattery, Omaha, a sister of Frank Cress of this city, died yesterday at her home, 1136 Georgia avenue. Funeral services at First Methodist Episcopal church Twenty-third and N streets, Sunday after oon, at 2 o'clock.

John Blotz, a prominent Clarkson stock man, was a visitor in the city yesterday He says that stock is not plenty up in hi locality, there being less hogs and cattle on feed this winter than a year ago. Such that are being fed are doing well and there

s no sickness to speak of among hogs. Corn s plenty and cheap.

R. McGlashen, Frankfort Station, Ill nois, was a visitor at the yards yesterday. He is in charge of two cars of thoroughbred stock destined for Alamosa and Fueblo, Colo., for stockmen in that locality. The

heifers. The entire lot represented the most popular strains of blood and were animals of great individual merit.

Farm Loans. For lowest rates on good farm loans call at the office of D. W. Otis, No. 133 Pearl street, Council Bluffs, Money ready and

Special sale of parlor furniture this week at Durfee Furniture Co., 205 and 207 Broad-

Fire insurance during this time of year makes one feel safe. Day & Hess represent the leading companies. Order a policy from them. Telephone 344.

Hoffmayr's fancy patent nour makes the best and most bread. Ask your grocer for it. Fine livery for parties and dances. Ogden Livery, 158 Broadway. Telephone 83.

value. The express car was soon a mass of flames and I set about to save my car if possible by carrying water from a pond near at hand. The entire end of the mail car was burned out, but only a small part of the mail was damaged." SAN FRANCISCO, Jan. 29 .- The postoffice

uthorities here have received a brief dispatch from the postmaster at Roseburg stating that the registered mail for Seattle Portland and Astoria had been taken. Postal Inspectors Thrall and Munro left this evening for the scene of the robbery and will

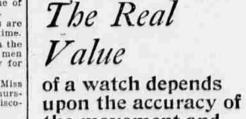
thoroughly investigate the case. The same train was held up on the night of July 1. 1895, thirty miles south of the scene of last night's affair. On that occasion the robers operated in the same manner in order to stop the train and Thrail believes the same parties are responsible for both hold-

ups. Five men were concerned in the first cobbery, and two men were arrested for their

participation in it. They were John Case and John Pool. After a trial in the United States district court of Portland the jury found them guilty. A new trial was de-manded, and Judge Bellinger, after taking the matter under advisement for eigh months, granted a new trial, stating that in

for eight And you need fuel. There is one place in town where you can get the famous CENTER-VILLE COAL, mothing beats it. \$3.50 per ton. CINCINNATI BLOCK \$3.50 STREATOR BLOCK \$3.50 HAMILTON SCREENED LUMP. \$25 DES MONES LUMP. \$25 COLFAX NUT \$27 COLFAX CHESTNUT. \$27 COBS. \$1.50 per load. his opinion there was not sufficient evidence to convict. As the postal officials had no further evidence the case were dismissed Case and Poll have since been indicted by the state court, but have not been arrested. Fire at Indianapolis. All orders promptly filled

INDIANAPOLIS, Ind., Jan. 29 .- Fire roke out early tonight in the north wing of the Denison hotel and for a time caused the greatest confusion among the guests. The fire was subdued after a damage o \$30,000, mostly by water, had been caused.



the movement and not upon the price of the case. The "RIVERSIDE" and "ROTAL" Waltham Watch movements are most accurate

time=keepers. For sale by all retail jewelers,

132-134 BROADWAY, Places on sale for FRIDAY and SATURDAY.

Sale to close Saturday night at 10 o'clock sharp. 800 bars Standard Soap, per bar 2c 700 bars Silk Soap, per bar 21/20 900 bars Santa Claus Soap 21/20 1,000 bars Cudahy's Domestic Soap, per bar

2,000 bars Kirk's White Russian Soap, per bar 900 bars Beatem All, per bar 2c 100 cakes 9 O'clock Wash Tea, per cake, 2%c 50 4-lb, pkgs, Gold Dust, per pkg. 13c

50 boxes Tollet Sonp. 3 cakes in box and

WM. WELGH,

YARD-615 SO. MAIN STREET,

Tel. 93.

FIRST NATIONAL BANK

----OF-----

Council Bluffs, Iowa.

CAPITAL, - - - \$100,000

ONE OF THE OLDEST BANKS IN IOWA. B PER CENT PAID ON TIME DEPOSITE.

AMUSEMENTS.

DOHANY THEATER.

WOODWARD THEATER CO.

TONIGHT

Last performance. New pictures on Magniscope.

WE WANT FEET

All sizes. If you've got a pair

we wish you'd bring 'em to us.

We don't see how we're going

to get rid of a stock of the best

shoes we ever had unless you

do. The prices are next to

The Duncan Shoe Co.

25 Main St.

nothing.

PRINCESS AND PAUPER

to fit our shoes.

WE SOLICIT YOUR BUSINESS. WE DESIRE YOUR COLLECTIONS.

6 Silver Spoons, per box 23c

It's Cold, And you need fuel. There is one place in town