## THE OMAHA DAILY BEE: SATURDAY, MAY 22, 1897.

# COMMISSIONERS FOR IOWA COUNCIL BLUFFS DEPARTMENT.

## MINOR MENTION.

Smith, plumber. 2401 Ave. A. To Pasturage, L. P. Judeon, 929 6th : N. W. Williams has returned fro George A. Keeline has returned fr tucky.

E. H. Benion has returned from days' business trip to Texas.

Dr. C. A. Love, a prominent phy Malvern, Ia., is in the city today.

E. H. Sheafe has returned home absence of three months on a busin Joel Mayne and wife of Red Oak iting with his brother, Gideon Mayn

Sixth avenue and Ninth street. All the regular services at th Avenue and Epworth Methodist churches will be continued as usual

and was an unusually brilliant event.

Born-To Mr. and Mrs. A. G. Matk, Sixth street and Twenty-fourth avenue, a twelve-pound son, at 10:10 a. m. Thursday, May 20.

Sprink's millinery store. Forcelosures were taken in the superior court yesterday in a number of cases against Timothy Driscoll and others, involving an indebtedness of about \$2,500.

There never was a time when we have done so much family work, and we never have done the work so well as this spring. We have made an art of the laundry busi-ness, at the "Eagle," 724 Broadway.

Pat Corrigan was arrested last evening on the charge of peddling without a license Corrigan is an Omaha man who attempted to dispose of a stock of spectacles without first having secured a license to cell from house to house

While Dr. F. P. Bellinger was attending a patient on Broadway about 3 o'clock yes-terday morning his horse and buggy were taken from the hitching post in front of the house. A search was made as soon as the loss was discovered, and the vehicle and horse were found near the end of the motor bridge, the horse being tied.

assault upon a young girl in the western part of the city, for which the grand jury indicted him. He pleaded not guilty to the charge. Dick Dubolse and Mrs. Berdle Kimball, charged with stealing a saddle, were also arraigned and pleaded not guilty.

The Grand Army of the Republic mem-bers have decided, in view of the schools closing before Decoration day, to give an entertainment on Saturday morning, May 29, at 10 a. m., in the Elseman building. The object is to induce the children to bring flowers to be used in decorating the graves on Sunday. The Woman's Relief corps will wist the Grand Army of the Republic in the entertainment.

The Young Men's Christian association meeting Sunday at 4 p. m. will be of 1 memorial nature. The speaking will be on Schoentgen against Beck; 586, Fisher against "What this Generation Owes Its Fathers." Tuesday, May 25-353, Elevator Co. against by W. B. Tarkington; "The God of Battles," by Superintendent W. S. Paulson. Mr. C. C. Hancock, the colored tenor of Chicago, will render some selections. All men are welcome and all soldiers have a special in vitation.

A young man named Linquest applied to police last evening for assistance in relieving a load of anxiety that was on hi mind owing to the continued absence of two young women whom he had permitted to go driving with his horse and carriage. They had not returned at 10:30, and he feared an accident had befallen them. The young women are employed at the Woman's Christian Association hospital.

An effort is being made to secure a dis-missal of the case of the State against Hattie fails to secure a light fine instead of a sentence to the penitentiary. Zed Bethers, the prosecuting witness, has disappeared and cannot be found. It was intimated around the court house yesterday that he was con-niving with the relatives of the girl to pre-vent her punishment, and was being concealed by them until the criminal docket

the second s	the second se	
Col. 333. avenue.	WILLIAM GAYHART IS FREE	TROUBLE IS WITH THE MEIGHBORS. Case Against Blacksmith Kelley is Likely to Be Dismissed. The legal investigation of the case against
rom Idaho.	Acquitted of the Charge of Perjury on Final Hearing.	A. J. Kelley, the blacksmith who was ar- rested upon the complaint of some of his neighbors on the charge of assaulting and
m a ten		threatening to kill his wife, was begun yez-
ysician of after an	SMOOTH WORKERS MAKE ANOTHER FAILURE	terday in Justice Vien's court. The inquiry was not completed and further hearing was continued until today. From the evidence introduced yesterday the trouble seems to
nees trip. 6 are vis- ne, corner	Man's Ignorance Hended Off and	
he F'fth Episcopal	Also Failed.	terday that her husband had not mistreated her in any other way than perhaps paying a little too much attention to another
tion was	A jury in the district court yesterday ac- quitted William Gayhart of Neola of the	woman. Neighbors had picked up little re- marks she had made and grossly exagger-

The High school alumni reception was A jury in the district court yesterday ac-held at the Odd Fellows hall last evening quitted William Gayhart of Neola of the ated them, and had likewise misrepresented charge of perjury, for which he was indicted by the grand jury last fall. The hearing of is a hard working blacksmith and bears a charge of perjury, for which he was indicted good reputation. The case will probably be dismissed today. the case occupied all day. The evidence showed a rather peculiar state of affairs. Judge Smith has fixed May 25 as the date for passing sentence upon L. C. Taylor, con-victed of breaking into and robbing Miss the teachers their liberty until next Septemof scrawls, which after being translated ber. For several days they have been planrepresent his name. Some time ago Gayhart cases in settling up a deal with some of his neighmost pleasant and profitable manner. It is noteworthy that all who have so far made bors found himself unable to meet his finanany announcements of their intentions have declared that the vacation shall be spent at cial obligations and was induced to put his peculiar signature to what was represented work in line with their duties as teachers to him as being a promissory note. The inand in the direction of increasing their strument, however, proved to be a chattel mortgage instead of a note, and in due course of time his creditors began to seize under it all of his farm products and personal property. He resisted the enforcement of the mortgage and replevined the stuff. At the hearing of the case before a Neola justice of the peace the mortgage was introduced and given its proper name. After studying the Speer system of teaching num-his property was solved Gayhart learned the ber work, which has been introduced here by Prof. Hisey with such great success. difference between a chattel mortgage and a promissory note and when he went on the witness stand in the justice court he frankly and firmly swore that had never signed a chattel mortgage. The signature to the inbridge, the horse being tied. John J. Crowe was arraigned before Judge Smith yesterday upon the charge of statutory to Gayhart. The holders of the mortgage

then had Gayhart indicted for perjury Gayhart was penniless, but found two attor disturbing the peace and trying to shoo neys willing to defend him. When the ver-dict was announced Gayhart stood up and Jee Scott at the latter's home in the south wept like a child. Judge Smith will continue to hear the

ern part of the city. The intentions of Doug-las were good, but the cartridge failed to explode. When the police officers were to criminal docket today and the case of Fred arrest Douglas he started to show them his Duncan, charged with the run of Grace Lamb, a school girl, will be called for trial. gun, but was overpowered before he could use it. A partner of Douglas was arrested Judge Smith has made the fourth assignment on the law docket since the opening of in Omaha yesterday at the request of the local officers. the torm. The following cases are set for

Lost, star-shaped pin, diamond in center hearing on the respective dates: Monday, May 24-377, Rouder against Schoening; 396, White against Gray; 439, Mottaz against Huber; 537, First National Bank against Redman; 578, Groneweg & points set with pearls. Lest on Fourth street between Fifth avenue and Worth street, before 6 o'clock. Finder leave at Bee office, Council Bluffs, and receive reward.

J. G. W. & Co.'s Clear Title 5c cigar jus placed on sale with forty first-class clgar Brown Bros.' Grain Co.; 598, Christoffersen sgainst Canning; 599, Lincoln against Casdealers in this city. Try one. At wholesale John G. Woodward & Co. eady; 601, Maxwell against Gale Manufacturing company; 603, Fairview Cemetery As-sociation against Cassady. THE PAVEMENTS OF LONDON.

Wednesday, May 26-605, Smith against Linder; 444, Peycke Bros. against Hazen; Wood and Asphalt the Favorite Pav ing Material. London is  $\epsilon o$  large and its municipal ad-450. Park against Mass. Building and Loan

association; 473, McCurdy against Saguin. ministration so complicated, says a writer in the Indianapolis News, that only the Thursday, May 27-480, Boardman against Douglas; 61342, C. B. Roofing Works against Wind; 615, Weston against Day & Hess; 616, barest outline can be given in a short letter There is no room for detailed statistics, Redman against West; 618, Casady against which, by the way, are very difficult to ob Man. Ins. Co.; 619, Sharples Co. against Westain. Between the years 1856 and 1889 the domestic housekeeping of the city was under the control of the Metropolitan Board of Works. In the latter year this was abol-

Friday, May 28-587, Reichart against R. I. Ry. Co. (special); 596, Wright against Dye Works; 620, Pratt against McMullen; 623, Lake Manawa L. Co. against Grout; 624, Ished for the reason (given to me) that there ished for the reason (given to me) that there was too much and too extensive work to be looked after by one board. This will be ap-parent when it is known that there are over 3,000 miles of streets. The modern sever Crystal Mill and G. Co. against Jackson. Saturday, May 29-1918, probate, claim Eli Vickery: 498 Krohn against Schwenk, Monday, May 31-552, Chapman against system built by that board cost \$32,500,000. Spencer. Domestic affairs were then turned over to

Destitute Woman Sadly Neglected.

ton

parliamentary acts and usages their super-vision has been subdivided until at this time Mrs. Fannie Singleton and her two bright little children are still wandering around the the city of London is divided into twenty city, homeless and friendless. A week ago The trial of Charles MeHugh, alias Riley, indicted for shooting Nick O'Brien, was set for hearing at the present term of the dis-trict court, when the case was continued at the January term. At the request of the de-fendant, another continuance was granted yesterday, and the case will probably go the data the case will probably go the hand is the term of the de-fendant, another continuance was granted yesterday, and the case will probably go the data the case will probably go the hand is the term of the de-fendant, another continuance was granted yesterday, and the case will probably go the hand the term of the de-term of the de-fendant, another continuance was granted yesterday and the case will probably go over to the August term. The continuance and that her husband deserted her there two years ago, leaving her to care for herself and her children. The Cass county authorities have been keeping her for the last year. Mrs. Singleton told them she had some friends in Madison, Neb., who would help her, if she could get to them. The Cass county officers took her at her word, bought her a ticket to Council Bluffs, put her and her babies on board a freight train and for-got all about her. The woman has been haunting the office of the overseer of the poor ever since and endeavoring by other means to raise enough money to pay for her passage to Madizon. The county authorities have no power to furnish money to send the woman out of town and on her way and have turned a deaf ear to her entreaties. The woman has been urged to turn her children over to the Christian home people, but refuses to do so except for temporary care. Her condition yesterday had reached a deplorable stage, and it is probable that something will be done today for her relief.

Eleven Men Who Will Spend the State's Appropriation. LE IS WITH THE AEIGHBORS.

gainst Blacksmith Kelley is GUASDIANS OF THE HAWKEYE EXHIBIT gal investigation of the case against elley, the blacksmith who was ar-

School Teachers and Vacation.

The close of the public schools today gives

His Revolver is Poor.

Governor Drake Will Summon the Members to Mactint Des Moines Next Week\_Mostly Men of Exposition Experience.

ed until today. From the evidence ced yesterday the trouble seems to DES MOINES, May 21 .- (Special Telein a case of misapprehension on the the neighbors and unjustifiable ingram.)-The state executive council today appointed the lowa commission to take e in the affairs of the Kelley house dra. Kelley declared positively yes-that her husband had not mistreated charge of the state's interests at the Transmississippi Exposition at Omaha. The comany other way than perhaps paying mission is as follows: too much attention to another

First District-John H. Wallbank, Mount Fleasant; democrat, Second District-S. D. Cook, Davenport; chird District-F. N. Chase, Cedar Falls; Fourth District-J. E. E. Markley, Mason

Fifth District-S, B. Packard, Marshall-Sixth District-R. M. Moore, Ottumwa; District-Allan Dawson, Des Ioines; democrat. Eighth District-S, H. Mallory, Chariton;

Memocrat. Ninth District-George W. McCord, Logan; republican. Tenth District-Owen Lovejoy, Jefferson; republican. Eleventh District-A. W. Erwin, Sloux

City; republican. Most of the members have had special ex-perience that qualifies them. Mr. Chuse was secretary of the lowa Columbian commission, secretary of the committee that handled fulness and efficiency. One party of fifteen has about completed arrangements for at-tending the meeting of the National Educational association, which meets in Milwaukee in July. The party will be headed by Prof. Hisey and will leave on July 3. Another party will leave on Sunday evening for Chi-Iowa's interests at the New Orleans Cotton Centennial, and connected with the Iowa Centennial commission, Ex-Governor Packand of Louisiana is known as one of the lead-ing live stock men of the country, and will cago for the purpose of spending some time studying the Specr system of teaching numdoubless look after this important interest for Jowa. Mr. Mallory was vice president of the Iowa Columbian commission. Mr. party are Mrs. Gleason, the Meses Badollet, Moore has been a director of the Ottumwa Coal Palace association, and Mr. Erwin has Hardin, Field, Honn, Howe, Millard, Perry, Parsone, Lyon, Bochning, Grass and Pile, been president of the Sioux City Corn Palace Later on they will be joined by Miss Thomp-son, Miss Van Order and Miss Jacobs. ssociation. The members of the commission will have

charge, under the general direction of the state executive council, of the expenditure Sam Douglas la in jail now upon a charge of the state appropriation to secure propa representation at the Transmississippi Ex-position. The act of the first session of the position. The act of the first session of the Twenty-sixth general assembly provided an appropriation of \$10,000 for the beginning of the work, the expectation being that the amount would be increased by \$25,000 or more by the Twenty-seventh general assem-

bly. The Iowa interest in the exposition has had a hard fight in various ways. When the last sension of the legislature opened there was a strong disposition to repeal the appropriation made by the former session. and it was only prevented by hard work. Before the end of the session, however, the members were generally convinced that the appropriation ought not to be interfered with, and that the state was entitled to a firstclass representation at the exposition. The feeling was very favorable to adding to the

appropriation next winter. J. S. Browning of this city, who was chief J. S. Browning of this city, who was chief lerks of the Columbian exposition bureau of awards, has been selected as chief of the bureau of exhibits. Mr. Browning has been here all winter, looking after the interests of the exposition in the legislature and else-where, and it was largely due to his efforts that the matter came out so well, from the standpoint of the exposition, as it did. The fourth of the exposition is the did. Governor Drake has announced that he will call the commission together in this city next Thursday for organization. Norval, J.

SAYS THE GIRL DID THE HUGGING.

#### SUPREME COURT SYLLABL.

McClanahan against Dingman, Error from Douglas county, Reversed and re-manded. Opinion by Judge Ryan. Where the question at issue is whether

attorney's fees charged and retained should have been restricted to 10 per cent of the amount collected and the parties who em-ployed the attorneys had testified to that restriction, it was error, on cross-examina-tion, to hold that this witness could not be tion, to hold that this witness could not be asked if said witness at the time he had been paid 75 per cent of the collection had not said to one of the attorneys who had made the collection that witness would not expect said attorney to do all the work for 10 per cent; that said attorney was the doc-tor, and furthermore, that witness had ac-cepted the profered check for 75 per cent of the said collection. Everinghain against Harris & Co. Error from Douglas county. Affirmed. Opinion by Judge Ryan. Questions of fact cannot be considered in the suprome court in the absence of a bill of exceptions. 2 An assignment directed against an en-tire group of instructions is not available when the action of the trial court as to one or more of such instructions is not shown to be erroneous.

or more of such instructions is not shown to be erroneous. I The foregoing section confers on the officer named exclusive original jurisdition of the designated subject matter, and the jurisdiction is not decendent upon or affected by the presentation or other ex-pression of the will or desire of the resident voters of the territory to be organized into a school district, nor is any prior notice of the proposed action of the officer necessary. Missouri Facilie Railway Company arainst Pradley, Error from Otoe county. Affirmed Opinion by Judge Norval. Where a resident of another state dies intestate an administrator may be appointed by the county court of any county in this state in which there shall be an estate to be administered, irrespective of the value of such estate.

state in which there shall be an estate to be administered, irrespective of the value of such estate.
1. The county court of a county wherein a nonresident of the state is killed may appoint an administrator to prosecute a statutory action for the injury causing the death of the decedent, though the latter left no property in this state.
2. The fact that one has been such by an administrator will not authorize such person to petition to the county court for a revocation of the letters of administration.
4. The fact that one has been such person to petition to the county court for a revocation of the letters of administration.
4. The fact that one the state and innocent third persons, although his appointment be erroneous and voidable. Harrison, J., concurs, Chief Justices Post, Irvine, Ryan and Ragan, C. C., dissent.
Home Fire Insurance Company against Phelps. Error from Douglas county. Affirmed, Opinion by Judge Norval.
An objection that the court refused to direct a verdict in the case not considered because not raised below in the motion for a new trial.
2. Exceptions to Instructions as a whole are unavailing unless cach paragraph is croneous.

reneous. 3. Errors in respect to giving or refusing instructions must be separately assigned in the motion for a new trial. 4. A verdict based on conflicting evidence will not be disturbed.

will not be disturbed. 5. Where an insurance company, with knowledge of a breach of the conditions by the insured fails to declare a forfeiture of the policy and continues to recognize its incluity by demanding proofs of loss, it walves the defense based upon such breach of policy.

waives the defense based upon such breach of policy. Meyer & Raapke against Miller, Error from Dawson county. Reversed, Opinion by Judge Norval. Where a mortgage of chattels is in pos-session of the mortgaged proderty the in-terest of the mortgager therein after the debt is paid may be reached by the process of garnishment by a creditor of the latter. 2. It is firmly settled that proceedings in garnishment are binding from and after the service of the summons upon the garnishee, and the property of the debtor in his hands is thereby placed in custodia leafs.

hurston county. Reversed and remanded This court will not consider a bill of exe

oution where the same is not authenticated by the certificate of the clerk of the court 2. An objection to a charge not called to

Woman's Nerves. Mrs. Platt Talks About Hysteria.

When a nerve or a set of nerves supplying any organ in the body with its due nutriment grows weak, that organ languishes. When the nerves become exhausted and die, so to speak, the organ falls into decay. What is to be done? The answer is, do not allow the weakness to progress; stop the deteriorating process at once ! Do you experience fits of depression, alter-

nating with restlessness? Are your spirits easily affected, so that one moment you laugh and the next fall into convulsive weeping? Again, do you feel something like a ball rising in your throat and threatening to choke you, in your threat and threatening to chose you, all the senses perverted, morbidly sensitive to light and sound, pain in ovary, and pain especially between the shoulders, sometimes loss of voice and nervous dyspepsia? If so, you are hysterical, your uterine nerves are at fault. You must do something to restore their tone.

Nothing is better for the purpose than Lydia E. Pinkham's Vegetable Compound; it will work a cure. If you do not understand your symptoms, write to CRO WAR Mrs. Pinkham, Lynn, Mass., and she will give you honest,

expert advice, free of charge.

Mas, LEVI F. PLATT, Womleysburg, Pa. had a terrible experience with the illness we have just described. Here is her own description of her sufferings:

"I thought I could not be so benefited by anything and keep it to myself. I had hysteria (caused by womb trouble) in its worst form. I was awfully nervous, low-spirited and melancholy, and everything imaginable.

"The moment I was alone I would ery from hour to hour; I did not care whether I lived or died. I told my husband I believed Lydia E. Pinkham's Vegetable Compound would do me good. I took it and am now well and strong, and getting stouter. I have more

color in my face than I have had for a year and a half. Please accept my thanks. I hope all who read this and who suffer from nervousness of this kind will do as I have done and be cured."

thereof as may be required for a designated purpose.
The sufficiency of section 4 of said act to require verification by affidavit of claims against the state being conceded by relator is not determined.
Test against Mills. Error from Frontler county. Reversed. Opinion by Post, C. J. One who delivers to an officer a valid writ without direction as to the manner of its service will not, except in case of subsequent ratification, be liable for torts committed by such officer while engaged in the execution thereof. Murray against Mace, 41 Neb., 60.
The successful party to an action of rethereof as may be required for a designated Ŋ

41 Neb., 69. 2. The successful party to an action of re-plevin should recover therein all damage which he has actually sustained by reason of the unlawful detention of the property

a defendant who has in an action of re-

ap)

in controversy.
B. A detendant who has in an action of replevin recovered judgment for the return of the property and his damage for the wrongful detention thereof cannot there-after maintain an action against the planntiff for damage on account of depreciation in the value of such property while in possession of the latter.
The Nebraska National Bank against Johnson. Appeal from Douglas county. Affirmed. Opinion by Post, C. J.
A plaintiff in order to recover the proceeds of property stolen by the defendant is not required to prove the guilt of the latter.
Equity will as against a servant charged with the care of the offices of his petition by a preponderance of the evidence.
Equity will as against a servant charged with the care of the offices of the plaintiff, a banking corporation, and the plaintiff, a banking corporation, and the plaintiff, a banking corporation, and the plaint of the proventional relation of the statement of the property stolen from it by the former while in the discharge of his said duty.
The conventional relation of trustee and court of equity to declare and enforce a trust in flavor of the latter with respect to the property stolen from the beneficial owner.
Evidence held to support the decree appealed from.
Hudelson against First National Bank of

We cure Catarih, All Diseases of

Searles, Specialists in NERVOUS, CHRONIC and PRIVATE DISEASES. All Private Discases and Disorders of Men Treatment by mail Consultation Free. SYPHILIS

Searles &

Cured for life. HOME TREATMENT WAL FOR ALL FORMS OF FEMALE WEAK-

NESS AND DISEASES OF WOMEN. Catarrh, all Discases of the Nose, Throat, Chest, Stomach, Liver, Blood, Skin and Kidney Discases, Lost Manhood, Hydroccia Varfeocele, Gonorrhea, Gleet, Syphilis and ALL PRIVATE DISEASES OF MEN. Files, Fistula and Rectal Ulcers cured with-put pain or detention from business. out pain or detention from business. Bright's Disease, Diabetes and kindred

maladies. Call on or address with stamp, DR. SEARLES & SEARLES. 119 S. 14th St.



had been passed

The trial of Charles McHugh, allas Riley, was made necessary on account of the con-dition of Colonel Dailey, who is defending McHugh. Colonel Dailey has been suffering severely for several days from acute cataarh of the stomach, and is unable to attend to his cases in the court.

C. B. Vlavi company, temale remedy. Medical consultation free Wednesday. Health book furnished. 326-327-328 Merriam block. Health

### N. Y. Flumbing company. Tel. 250.

Methodist market at old stand Purity Candy Kitchen today. Home made bread, cake, ples, etc.

#### Interesting Service.

Next Sunday will be an interesting time in the new building of St. John's English Lutheran church at the southeast corner of Willow avenue and South Seventh street. At the 10:30 a. m. service the congregation will have a service of rejoicing over entering its new and permanent place of worship. The pastor, Rev. G. W. Snyder, will preach a sermon appropriate to the occasion. There will be no effort made to raise money other than the regular Sunday offering. At 8 p. m. the Union Veteran Legion will hold its annual memorial service in this church. Addresses will be made by Judge Jacob Fawcett of Omaha and Attorney James McCabe this city, The audience room will be finely and appropriately decorated. All are most cordially invited.



circumstances is working under the lash of death. If a woman will always take proper care of the health and strength of ber dis-tinctly womanly self, she is pretty sure to be in good general health. Too few doctors understand this, and consequently attribute the troubles of which women complain to the wrong causes.

Pierce's Favorite Prescription is a marvelous medicine for women. It acts directly on the delicate and important organs that make wifehood and motherhood possible. It makes them healthy and vigorous. It allays inflammation, soothes pain and heals ulceration. It tones the nerves and makes a woman feel bright, happy and amiable. It does away with the discomforts of the critical period and makes baby's adof the critical prinost painless. No honest dealer will urge an inferior substitute for a little extra profit. The sale of "Favorite Prescription" exceeds the combined sales all other medicines for women.

Dr. Pierce's If constipation was painful like a tooth-ache, sickness would to a very great extent be a thing of the past. If it was painful, the proper remedy would be prompt-ly resorted to, and the long train of disorders for ly resorted to, and the long train of disorders for which it is responsible would cease to exist. But unfortunately constipation is the easiest to neg-lect of all sickness-breeding conditions. A resort to the right remedy is put of from day to day. It shows itself in a hendache, and some injuri-ous headache powder that gives but temporary relief is used. Dr. Pierce's Pleasant Peilets go to the first cause of the trouble and cure for constipation. They cause no pain and never gripe. Druggists sell them, and sell nothing else that is "just as good." Pellets.

The ladles these days are very busy with house cleaning. They find carpets badly worn, curtains a little old. Now, we do not wish to disturb the lantes in their work but we want them to know what an elegant line of carpets, curtains and rugs we carry. and see the new goods. COUNCIL BLUFFS CARPET CO. Come

Combination book cases this week, \$10.75

t Durfee Furniture Co., 205-207, Broadway.

Receiver for Manhattan Beach. Upon a petition signed by six of the credtors of the Manhattan Beach Improvement company, Judge Smith yesterday appointed . H. Judson receiver of the property and the bathing beach on the south side of Lake Manawa.

The financial affairs of the company had got into such a shape that there was no prob-ability of a settlement being made that would permit the beach to be opened at the beginning of the season or kept open during the summer, and the appointment of a receiver was the only way out of the diffi-culty. Judson will endeavor to put the beach in proper condition for the season's enjoy-ment and keep the business going. The six creditors who joined in the application for the receiver are the persons holding the principal amount of the claims against the company. Numerous small creditors have obtained judgments, and there was a great Numerous small creditors have probability that they would have executions issued to satisfy each claim, and thus pre-yent any business being done on the beach during the geason. But very little expense will be required to put the property in good condition, and the receiver will have the authority to make the necessary expendi-tures for this purpose.

Real Estate Transfers.

The following transfers were filed yesterday in the title and loan office of J. W. Squire, 101 Pearl street:

P. Winther and wife to Vensen and Mary Larson, lot 8, McGee's sub of block 18, Hughes' & Doniphan's add., w. d. w. d.
William P. Officer and wife to Anna K. Brumbaugh, lot 4. block 10, Morn-ingside, q. c. d.
Sheriff to John S. Smith, und. inter-est in ebs sels, sig neis and sels nwis 4-56-41, s. d.
Sheriff to F. T. True, lots 4 and 5, block 17, Bayliss & Palmer's add, s. d. \$400 10

Four transfers, aggregating ..... \$725

#### Game Tomorrow.

Camp's aggregation of artists will try conclusions again tomorrow with the picked team from Omaha on the Council Bluffs ground. 'The teams:

All Omaha. ..... Whitney Lawler .Graham-Keys Bradford larke Curtis. field. Bittinger

eight municipal boroughs, or parishes, ing them, taking care of garbage, looking after the health of the people and the sani-tary condition of all the houses and public places in the parish. When it is remem bered that the entire area of the city square miles, it will be observed that each estry has only about four square miles of territory to look after, and many of the parishes are, in fact, very much smaller. The favorite paving material here, as in

the London county council, and by various

streets are either paved with wooden blocks bors. or asphalt. The following tacts I obtained by personal interviews with public officials or out of official reports where I could obtain them, and I give them in as near the

words of the official as I can, having in most instances made memoranda at the time of the interview. There are something over 100 miles wood pavement in London, some laid by contract, as in Paris, by the parish. About seven-eighths of the wood is creosted, some by "dipping," more by forcing the creosote into the blocks by pressure. White pine was formerly used, but yellow pine creosoted is now the most used, although Australian "jarrah" and "karri," both very hard

woods, are now being laid on some streets of exceptionally heavy traffic. These woods are not being creosoted. All pavements are laid on Portland cement concrete; instead of broken stone, gravel is mostly used in making concrete. The cost for foundation and blocks complete is from \$2.45 to \$3 per square yard-one year guarantee if done by contractor. It costs about 5 per cent per square yard per annum to maintain them.

The average life of blocks on heavy traffic streets is about ten years. A wooden pave ment on a light traffic street was shown me that had been down seventeen years, with the remark, "Blocks dipped in creosote;" but the street was not in good con-dition. King William street, leading to leading to London bridge, with 22,000 vehicles passing over it each twenty-four hours, is paved with wood, but I was told it had to be replaced every seven years. Asphalt is more popular here than in

Paris, especially on narrow streets and in sections of the city where there is a good deal of filth and dirt. There are about onethird as many yards of asphalt as of wood, so I was informed. It costs upward of \$5 per square yard, with only eighteen months guarantee, after which it costs from 22 cents to 28 cents per square yard per annum for maintenance. It will thus be seen that the taxpayers in Indianapolis pay less both for wood and asphalt pavements than the taxpayers of London, and I carefully watched the layers of each kind, and outside of the

Portland cement used instead of concrete htre, I observed but little difference in the way they are laid. The cleaning is not so well done here a

in Paris, but is done in much the same way. that is, with orderlies taking up the drop-pings during the day, and ordinary street sweepers sweeping at night. At present the streets are not washed here at night. For a while it was tried, but the cost of the water made the cost of cleaning excessive. An effort is now in progress to have a sys tem of pipes put in to convey salt water about the city for cleaning and sewer flushing, and the only thing that prevents its adoption is the sanction of Parliament. Stone pavements are not laid now, and as

rapidly as those now in use are worn out they are replaced with wood or asphalt. There are many miles of macadam in ondon, but as no practical way has been

ound to clean them and still retain their surface, they are rather rough. Thes are cleaned with the ordinary sweeping machines, which remove the fine material, leaving the coarse stones sticking up, making a rough surface.

Ing a rough surface. This is a city of parks. Many are small parks and squares, no other city in the world having so many. There are over 3,600 acres in parks and squares in the city, exclusive of the royal parks. Public bath-ing places are a great feature here. Sep-arate departments are provided for women arate departments are provided for women A bath can be obtained for 1 penny. Public lavatories are everywhere about the city, mostly below the street surface, each in charge of an attendant,

SAYS THE GRRE DID THE HEGGING.
SAY STRE THE GRRE DID THE HEGGING.
Evangelist Makes a Novel Defense to a charge of an objection to a charge of an extrained of a count by the motion for a new trial will not be considered.
SIOUX CITY, May 21.—(Special Telegram.).
—Rev. George W. Oske, an evangelist living in this dity has been suspended from preaching the gospel by a jury of Methodist ministers in this city pending the action of the district court is without young preacher. While conducting a seriers of method and the acted in sn unbecoming manner to ender a money judgment in a cause.
S. A judge of the district court is without young preacher. While conducting a seriers of may been suspended him until a better explanation of the action.
S. A judge of the district court is without or ender a money judgment in a cause.
S. A publich of a lastrict court is sufficient to such minfamily of Rev. Mr. Bristol, with whom he ordered a plicher of water brought to his room by the girl and have the sugnation of a district. The affidavit in the suilt canorder a a plicher of water brought to his room by the girl and have the family of Rev. Rr. Bristol, with whom he farout y the girl and have the raw in the girl and have the family of Rev. Rr. Bristol, with whom he farout to the raw in the girl and have the raw in the girl and the while to the raw in the girl and the while defendant's attorney and the support a support a plagement has atthe defendant's attorney and the girl and the raw in the girl and have the raw in the girl and the raw in the girl and have the raw in the girl and th Dodge acted as the defendant's attorney and Bennett Mitchell of Schaller as prosecutor. Mr. Oake has a wife and three children Paris, is wooden block. All of the best here and is highly esteemed by his neigh-

BUILD BOATS FOR THE MISSOURI.

## Gasoline Vessels to Ply Between Sloux City and Chamberlain. SIOUX CITY, May 21.-(Special Tele-

gram.)-Work was commenced here today on the first of a number of boats to be built for a new line of vessels for the Missouri river to ply between Sloux City and Chamberlain, S. D. A local company has been organized for that purpose and a half dozen vessels will be built in time for use in the fall. They will be small boats to be propelled with gasoline engines, some of the boats being 120 feet long and others ninety feet long. They will carry the farm produce from the country between Running Water and Champeriain, a distance of over 100 miles, where the farmers have no access to railroads and raise large quantities of grain. They have tried repeatedly to secure the establishment of a steamboat line, but have failed until this year.

Caught by His Footprints.

MASON CITY, Ia., May 21.-(Special Tele gram.)-The villain who twice attempted to wreck the Illinois Central flyer by placing obstructions across the rails, each time nearly accomplishing his purpose, his been rur down by Sheriff Parker. He gives his name as Louis E. Hyde of Floyd, Ia. It was a next piece of detective work on the part of Parker as his only clew was the tracks made by the man's shoes, the soles of which left peculiar marks in the earth. He is now in Floyd county jail awaiting the action of the September grand jury. He has confessed the crime

## THE ENGLISHMAN'S WIT.

#### An Entire Shipbuilder Runs Afoul of nn American Joke.

There was an Englishman halling from Hull on this side the water recent, relates the Washington Star, looking at America and, of course, he came to Washington. He was a large man, weighing not less than 250 pounds, and rising to a height of at least six feet three inches? He was for an Eng-lishman, not yet Americanized, quite chatty and affable, after the ide was broken, albeit just a wee bit slow of wit. "I'm a Hull shipbuller." he was saying

to a Yankee newspaper man in a small party of journalists who were blowing him off to a few rations wet and dry at a foun-

off to a few rations wet and dry at a foun-dry where such things are manufactured. "Of course you are," responded the Yankee as he measured his huge proportions and smiled; "you could acarcely make us believe you were only part of one, don't you know." Those in hearing laughed and the English-man looked at the Yankee with a puzzled, yearning expression on his broad and honest face.

"Really," he pleaded, "I beg your pardon?" and then before international complication could arise, somebody called on the English man for a speech or something and the Yankee joker got away.

A Comparison

Washington Star: "No," said Mr. Cumrox, positively. "it isn't the amount of time that a thing takes that regulates its importance." "What made you think of that?" inquired bis wife his wife.

"Our daughter. When graduation day comes it'll only take fifteen or twenty min-utes to stand up and inform the public about 'The Inconsistencies of Modern Thought and the Ultimate Destiny of the Human Race.' But it'll take her half an hour or more to make up her mind as to what kind of syrup she wants in her soda water."

7. A branch of the promise on which the action is predicated must be pleaded in the petition.
8. In an action of replevin wherein the plaintiff claims the right to possession of property by virtue of a special ownership conferred by chattel mortgage thereon in his favor, the petition filed must contain allegations which show that the debt secured by the mortgage has matured, and also that it is unpaid, and if claimed by virtue of a clause in the mortgage by which the mortgage may take possession at any time if the feels unsafe or insecure, the petition must also contain an allegation that the debt secured remains unpaid.
9. In this, a replevin action, a bond was given by the plaintiff before the property taken under the writ was delivered to him. The bond was imperfect or defective. On motion of defendant a new bond was required by the court, which was given. The defendant filed answer, issues were folned and a trial had in which the defendant participated. Held: That the right to further object to the bonds was waived. Culbertson Irrigating and Water Company against Olander. Forror from Hitchcock county. Reversed. Post, C. J.
A settler who has entered public lands under the provisions of the United States homestead law has from the date of such entry an inchoate title, which is in a legal such at the will support an action by the settle of the sound the conditions imposed by the act of congres.
2. Such title will support an action by the satisfies and before his right to a patent becomes and before his right to a patent becomes be read so as to give it a meaning, will make the affidavit defective, but

absolute. 3. A general verdict will be set aside if in irreconcliable conflict with a special find-ing of fact material to the issues in the to the vanishing point.

same case, Kelly against State. Error from Burt county. Reversed and remanded. Harri-ion, J. on, a The action of the trial court in excluding

The action of the trial court in excluding testimony mercly cumulative, held, not prejudicial if erroneous. 2. A witness whose name was not en-dorsed on the information may be called on rebuttal, or on a subject first brought into the case in the evidence of the defense, and which is in rebuttal of and made necessary by such evidence introduced by the defense, but may not give testimony which is not directly and plainly rebuttal or which tends to prove the commission of the crime and

directly and plainly robuttal or which tends to prove the commission of the crime and might properly have been introduced on the part of the state as of its evidence in chief. 3. The action of the trial court in refus-ing to give certain instructions examined and approved. Rooney against State. Error from Doug-ins county. Reversed and remanded. Opin-ion by Harrison, J. To suistain a conviction of larceny there must be proof of the value of the property by competent evidence.

Yours gratefully, MRS. LULU GLEASON. D7. Charcot's Kola Nervine Tablets are famous for curing nervous diseases where other medicines had failed. They will make strong and well, try them. Fift \$1 per box at druggiats or sent and \$1 pt Eureka Chemical and Mrg. Co., La Crosse

California and a second s MANHOOD RESTORED tion of a famous French physician, will guickly cure you of all mer-rous or diseases of the genorative orrain, such as Lost Manhood. BEFORE AND AFTER CUPIDENEL strongthenes and the branch of the strong of all mer-wild be horrary of the branch of the strong of the strong of the strong CUPIDENEL strongthenes and the urmary orrang of all impurities. Variances and Fille horrary of the branch of all hosts by day or high. Freeshet quick-field the horrary of Impotence of all impurities. Variances and fille horrary of Impotence of all impurities. The reason sufferers are not cured by Dectors is because the liver, the fille a written guarantee given and money returned if six boxes dues not effect a permanent cure. The action of the strong the s

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 Your troubles if out of city.
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which will support the addition of the signification which will support the affidavit, the latter will be adopted, especially where it is a less strained and technical reading than the TREATMENT BY MAIL-Consultation free Omaha Medical and Surgical Instituta 1605 Dodge St., Omaha, Neb.

1605 Dodge St. Omaha. Neb. PROPOSALS FOR COFFEE, SUGAR, Clothing, School Books, etc. Department of the Interior, Office of Indian Affairs, Wash-ington, D. C., April 3, 1857. Scaled Proposals, indoraed: "Proposals for Coffee, Sugar, Clothing, School Books, etc.," as the case may be, and directed to the Commissioner of Indian Affairs, No. 77-76 Wooster Street, New York City, will be received until 1 o'clock p. m., of Tursday, May 25, 1857, for furnishing for the Indian Service, Coffee, Sugar, Tea, Rice, Beans, Baking Powder, Sugar, Schedules, Woolen and Cor-ton Goods, Clothing, Notions, Hats and Caps, Boois and Shoes, Crocker and School Books. Bids must be made out on govern-ment blanks, Schedules siving all necessary information for bidders will be furnish d masters at Shoux City, Yankton, Arkansas City, Cathwell, Topeka, Wichita and Tueson. Bids will be opened at the hour and day mentioned, and the bidders are in-vited to be present at the opening. Certified Checks-All bids must be accompanied by certified checks or drafts upon some United States depository or solvent national tank for a thesat five per cent of the amount of the proposal. D. M. BROWNING, Commis-sioner, armer. 4. Where an affidavit has defects in form r substance which might be amendable, f the parties in the case who might inter-ose objections to the affidavit appear, inswer to the merits of the action and go o trial without making objections to the iffidavit, they waive the defects.

The Craving for Tobacco. All sorts of nostrums have been proposed

TEN YEARS SICK.

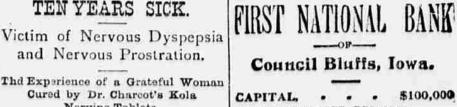
Nervine Tablets.

nd tried for the purpose of curing the exessive craving for tobacco, but the results of heir administration have been for the most part very uncertain. A remedy of a different order has been patented in the shape of a lime lock for tobacco boxes. The victim of the habit can adjust the torture of deprivaion to suit his moral and physical limitations. Having made up his mind what is the longest period that he can abstain from the weed, he sets the gauge on the box and waits for the expiration of the predetermine interval of time before he takes a fresh chew or fills up his pipe. The inventor, who ap-pears to speak feelingly on the subject, recommends sufferers from the nicotine habit to make the early intervals very short, and to increase them gradually until the yearning for the weed has at last been trained down

If I could

Fifty cent

direct



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~~~~~~~~~~~~~~~~ SPECIAL NOTICES COUNCIL BLUFFS WANTS.

DWELLINGS, FRUIT, FARM AND GARDEM lands for sale or rent. Day & Hess, 39 Pearl street. Communities - I am better and happle

FOR LEASE, ONLY UPLAND MISSOURI river frontage and host landing, near Exposi-tion grounds suitable for pleasure resorts, in traciato suit; plenty hardwood timber; abundant, tracts to suit; plenty hardwood timber; abundant fowing springs, with sufficient fail for hydrau.lo rams to store water for fountains and supply: bank sand and gravel for walks and drives; leaniful natural parks of plateaus, valleya and bluffs; on C. & N. W. R. R.; 2% miles hore; of Cornell Huffs, and about 3% miles formest from Expection grounds. I., P. Jud-son, 328 Sixth avenue.

FOR LEASE, SAND AND GRAVEL HANES, with superior brick clay inderlying same about 34 miles northeasterly from Omaha Ex-p shirin grounds, and two miles routh of Council Hurs, or Missouri river, and on C. & N. W. R. R. L. F. Judson, 329 Sixth avenue, Council Hurs.

FOR SALE. ABOUT 40 ACRES OF CHOICE upland fruit, vegetable and park lands; five acres and upward at 15 to Le per acre, accord-ing to location and amount; about three miles north of city and about same distance from Experiment other lands and Council Bluffs lots at low prices. L. P. Judson, 529 Sixth ave-nue Council Bluffs.

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