## COUNCIL BLUFFS.

#### MINOR MENTION.

George W. Hewitt has returned from an eastern visit. C. R. Hannan left last evening for a brief

George McMahon went to Woodbine yes terday on busines. Mice Anna Asman of Tabor is a guest

of Mrs. Frank Hahn. Miss Anna Kirk of Des Moines is a guest of Mrs. Ed McConnell.

Mrs. W. W. Elliott returned yesterday from a visit to Lincoln, Neb. Roland Crockwell has returned from an

outing at Lake Okoboji Miss Fannie Brock will go to Indiana next week to visit relatives.

Mrs. F. G. Pfeiffer went to Chicago last evening on a business trip. Union Mission Sunday school pienicked yesterday in Fairmount park.

Missen Anna and Mary Temple of Atlantic arrived in the city last evening. G. S. Gibbs of Harlan, Ia., is visiting Mrs. Warren Letsen, 104 Fourth street.

H. Jordan and wife returned from a visit to Seattle and Portland this morning. Mrs. Price of Grace street is visiting her

daughter, Mrs. Martin, in Des Moines. Mrs. James McCabe has almost recovered her health and was out driving yesterday. Misses Lacy and Wickham departed for Missouri Valley yesterday to visit relatives. Mrs. D. B. Davidson of Des Moines is the

est of Mr. and Mrs. N. A. Messmore at The State Savings bank will remove on Monday into the room formerly occupied

by It at 415 Broadway. Mrs. Williams, wife of Rev. T. W. Williams, is confined to her home on Harmony street by serious illness.

The session of Abe Lincoln post No. 29, Grand Army of the Republic will begin to-night at 8:30, instead of the usual hour. Mrs. Abram Jett of Wayne, Neb., is the guest of Mr. and Mrs. F. L. Evans. She is en route to Corning to visit her mother. Miss Lily Haladay will leave next Tursday for Salt Like City, where she will teach in

the city achools during the ensuing school Mrs. Ellen K. Denney will speak in the Trinity Methodist Episcopal church on Sun-day morning at 10:30. Subject, "Fartified

Rey. Charles A. Greenless of Lamar. Mo., will occupy the pulpit of the Congregational church next Sabbath both morning and

The Klondyke region seems to be the topic of conversation everywhere. The fine work of the Eagle Laundry is also widely com-mented on at every corner. 724 Bway. Foresters of Hazel camp 171, Modern Wood.

men of America, are requested to meet at their hall Saturday evening, July 31, in full uniform to take part in a dress parade. The improvements in road and water ways in Fairmount park a.e being pushed rapidly.

The grading is almost completed and a large part of the macadam laid on the west side. Nixon H. Gano, who has recently accepted the position of foreman for McPherson & Reed, the florists, expects to move his family here shortly from Richmond, Ind., their for-Attorney S. B. Sweet pleaded guilty yes

terday in Justice Vien's court of slapping the face of a too voluble witness whom he could not stop any other way. The court assessed Rev. S. Alexander, formerly paster of the Second Presbyterian church of this city, will

preach on next Sunday morning and evening at the Lowe Avenue Presbyterian church, on Fortleth street. Omaha. Mrs. Frank Fowler is lying very ill a her home, and her friends have almost despaired of her recovery. Her mother,

Mrs. Cleiand, of Lodi, Wis., arrived in the city yesterday, and will remain at her bedside until there is a change. The city ticket office of the Burlington will be moved on Monday or Tucsday to the new location in the Grand hotel. The

work of threwing the two corner rooms into one spacious apartment for the use of Colonel Davenport and his force will be commenced Work on the loup of the motor track in Fairmount park is progressing as rapidly as

possible, but it will be impossible to com-plete the job before Sunday, as was previously announced. The grading is completed. the pavilion moved and the track laid about balf way around the circle. Alderman Atkins and family will return

from their outing at Spirit Lake on Monday. The young men who constitute the Apollo club, who have been camping at the lake for several weeks, have broken camp and are on the way home in a lumber wagon. They are expected to arrive today. The Burlington has arranged for a series

week-day excursions from points along e line. The first will leave Creston early in August and will reach here at 4:30 in the afternoon and returning will leave at 11 o'clock. The fare will be less than one-half of the regular rate for the round trip. President Wells of the motor line returned

from New York yesterday, where he went on a financial mission in the hope of diccovering means to relieve the present uncomfortable pressure that is causing officers of the company a great deal of un-He left at once for his home in

police station last evening making inquiries concerning a woman named Ida Martindale, whom he had traced as far as Council Bluffs. The man professed to have a deep interest in the welfare of the young woman, whom he said was only 20 years of age, and whom he feared might have gotten into trouble. No trace of the woman could be discovered

Henry Hutchins died yesterday after a lingering illress at his residence, 713 South Seven'h street. He was 69 years old, and has resided here for the past thirty-six years. He leaves one sen, H. S. Hutchins. The funeral will occur from the residence on Sunday. Mr. Hutchins was a member of the First Presbyterian church and a Mason. The services will be under the auspices of the Masonic fraternity. The body will be burled at Fairview.

buried at Fairview.

A crowd of Glenwood people spent Thursday at Lake Manawa. The party was composed of Messrs. and Mesdames T. L. Smouse and M. J. Williams of Glenwood, Prof. and Mrs. Elmer Todd of Chicago, Mr. J. F. Record and Mr. H. A. France of Glenwood, Miss Cook of St. Joe, all of whom drove from Glenwood. In the afterneon they were joined by Messrs. Charles Edwards, Fred Kemp and Frank Williams, who made the trip on their wheels. trip on their wheels.

Word was received here yesterday of fatal accident in James township, by which Jergen Gibson lost his life. The accident occurred on Thursday. Gibson was engaged in cutting grain with a self-binding har-vester. He had stopped to oil the machine, and while doing so the team took fright and ran away. Mr. Gibson was knocked down, the large wheel passing over his body He was removed to hio home, but death en sued before a physician arrived.

Hazel camp No. 171, Modern Woodmen of America, will give a basket picnic at Lake Manawa on Friday, August 6. Invitations have been sent to a number of neighboring camps and a big time is ex pected. The Foresters have charge of th entertainment and a few of the principal features will be a tug of war contest between local camp, foot racing, boat racing, speak-ing and the Tyrolean warblers, and will wind up with a dance.

The funeral of the late H. P. Warren was held from the residence, 614 Third street, yesterday afternoon at 5:15. Many friends and relatives were present and the floral offerings were many and beautiful. The pall bearers were: Samuel Hass, L. C. Empkie, H. H. Oberholster, W. E. Haverstock, Dr. I. E. Woodbury and Thomas Officer. Rev. W. S. Barnes and Rev. Dr. Phelps officiated. Relatives present from out of the city were John P. Warren, a brother of the deceased from Canton, Ill., and also a sister from the same place. Also a son, Dr. Horace Warren, and wife, from Missouri Valley. Interment

C. B. Viavi Co., female ren edy; consultation free. Office hours, 9 to 12 and 2 to 5. Health book furnished. 326-327-328 Merriam block. N. Y. Plumbing company, Tel. 260.

#### FLICKING R IS A CANDIDATE

Announces His Willingness to Run for Governor of Iowa.

COUNCIL BLUFFS MAN ENTERS THE RACE

He Will Not Make a Personal Chase After Votes, but His Friends Believe He Will Get There.

A. T. Filckinger has formally announced his determination to enter the contest for the gubernatorial nomination at the Cedar Rapids convention, and while he will not enter the army of candidates who are moving all over the state for the purpose of working up enthusiasm and getting votes in the convention, he will make a dignified canvass that will be likely to win it certain probable contingencies arise. Mr. Flickinger does not intend to get in anybody's way, but his friends believe now that he will go into the convention with a strong following among the delegates of southwestern Iowa. He is a strong man, politically and Attorney C. in every other way, and he was selected by a large number of the active republican workers of Council Bluffs and the Ninth district as their candidate. At first he was inclined to regard the suggestions lightly, but events and assurances of the last few days have caused him to determine to enter the race and make a winning fight if possible. There are two other candidates from the southwestern portion of the state who will dispute with Mr. Flickinger the honor of a nomination. They are Speaker Byers of Harlan, who made such a bright lyers of Harlan, who made such a bright record as speaker of the house at Des Moines, and J. W. Harsh of Creston, an ex-state senator. Mr. Byers arrived in Council Bluffs last night and will spend some time looking after his interests here. Mr. Harsh has so far contented himself with writing letters. A large number of letters received from him by republican workwere received from him by republican workers here yesterday. They set forth his claims strongly but temperately. Mr. Flickinger, however, will open no literary bureau and will not tour the state in the chase for convention votes. He will wait until the convention meets at Cedar Rapids, and it the emily require referred comp shout he

if the contingencies referred come about he will come very near, if he does not succeed, in making the winning combination. In the caucuses tonight the friends of Speaker Byers will be found working hard each of the primaries. Ex-State Senator Harlan of Mount Pleasant, who carried the county in the state convention two years will also have friends working for endorsement by the county convention. A number of his friends and admirers here have been writing to him and they have got him to appounce his willingness to be-

ne a candidate. Outside of Council Bluffs the most for Outside of Council Bluns the most for-midable candidates are State Senator A. B. Funke, Corgressman J. A. T. Hull, Matt Parrott, ex-Governor Larrabee and ex-Sen-ator Harlan. All of these men have earnest ator Harian. All of these men have earnest friends in Council Bluffs who will answer their appeals for effective work in the county convention. These interests will make the primaries and the convention of more than ordinary interest.

Silver teaspoons go with Domestic soap, ANNA ARNOLD TELLS THE STORY Child Goes on the Stand to Testify

Against George Emerine. The hearing of the charge of criminal as sault preferred by the guardian of Anna Arnold against George Emerine was begun before Justice Burke yesterday. The little girl herself was put on the stand, and was subjected to a searching examination that lasted nearly all day. She told a straight-forward story of the buggy ride to a lonely place southwest of Manawa and the brutal assault made upon her by Emerine. She told of her mother having given her consent for her to accompany Emerine to the lake to carry a message to her stepfather, H. D. Carbee: of Emerine inducing her to take the train for uptown, instead of to the lake; of his procuring a buggy and of the long ride in the darkness. She said Emerine told her he was taking her to a dance at Rief's hall. She testified to the violence used by the man and her pleading to be taken home. The girl was in tears during a greater part of the time occupied by the painful recital of her story, but no amount of adroit ques-tioning by the attorney for the defendant

could shake her narrative.

It has been given out by the defense that Emerine will not be held to the grand jury and that the case will end in the justice court. The plan is to attack the character of the girl and to show also that she is

record of the child's birth and that the mother is unable to fix the date within two or three years of the exact period. The father of the child was an old soldier, who died near Crescent City. A soldier's head stone was put up at the grave, which is located in Reel's cemetery. The date of the death of Arnold was strangely omitted from this stone, and the defense will show that Mr. and Mrs. Carbee a month or more ago re moved the stone and brought it to this city and left it at a North Main street marble shop with orders to cut the date of October. 1883. This is claimed to be a year later than the actual date of Arnold's death. Neighbors will testify that Arnold died in 1882, and at that time Anna was a child old enough to run around and talk distinctly, and was at least a year and a half old at that time. This evidence may have some bearing upon a pension that the child is drawing, and which will expire when she is 16 years old. It is probable that the case will last for several days. If it is finally proved that the child is over 15 years old the offence will not constitute statutory as-

40 Domestic soap wrappers are good for

six silver teaspoons. The Southwestern Log Rolling associa-ion, Woodmen of the World, have secured for their picnic, Sunday, August 1, a rate of 5 cents from Grand Plaza to Manhattan Beach and return; also a rate of 30 cents from Omaha to Lake Manawa and return

Fifth annual discount sale, 20 per cent to all cash customers. Durfee Furniture Co., 205 and 207 B'way.

The genuine Demestic Soap is the first grade. The imitation is a cheap grade

The Methodist ladies will have on sale today in the room adjoining the Nonparell building all kinds of fresh bread, pics, cakes, salads, etc. Also fresh fruits, ice cream and cake, 10 cents during the day

Foreclosure Suit.

A forcelcaure suit was instituted in the district court yesterday by Benton and Una team of Foresters from Omaha and the derwood against Charles Peterson and wife. The amount involved is about \$500.

> Increased Manawa Train Service. Owing to increase of traffic the Lake Man-awa Railway company has been compelled

The genuine Domestic soap wrappers are red. Beware of imitations.

Miners Return to Work. ALLIANCE, O., July 30 .- The 100 miners employed in the three mines at Bergholz. the southern terminus of the Lake Eric, Alliance & Southern railroad, have returned to work. They went out at the commencement of the strike. Thursday the operators offered them 75 cents a ton for mining, an advance of 20 cents over the old rate. They accepted the offer at once and returned to work this morning. work this morning.

STONE IS CAMPING NEAR TORONTO.

abouts of the Ex-Cushler, SIOUX CITY, July 30 .- (Special Telegram. -What is considered the first piece of authentic information as to the whereabouts of E. P. Stone, the ex-cashier of the Sloux City Savings bank, arrived in this city this Miss Mae Adams, deputy county recorder of this county. Miss Adams is visiting in Toronto, Ont., and says she frequently sees E. P. Stone in that city. Miss Adams adds
whe has been told he is camping somewhere
in that vicinity, but appears to be making
no secret of his whereabouts. Miss Adamo
says it is impossible that she can be mistaken, for she knows Stone perfectly well, and has had frequent business dealings with him during his residence in this city,

Commencement at Shennadonh. SHENANDOAH, Ia., July 30 .- (Special.) The commencement exercises at the Western Normal college closed last night. The past year has been noted for a larger attendance than any year since the college was rebuilt improvement in the business depart ment is very encouraging, and, in fact, every department has made rapid and solid im-provement. There will be no material changes in the faculty for the next year. Miss E. Mae Morse, who was musical direc-

Graduates in eight courses have gone to the number of seventy-four. The com-mercement exercises have been of a high character, and many strangers and former

students were in attendance.

The alumni anniversary, held on Wednes day evening, was followed by a banquet. Attorney C. W. Whitney of Harlan, Ia., a normal student of 1889, delivered the annual oration. Another pleasing feature of the entertainment was the reminiscences of college life, by Dr. G. T. Rumbaugh of Villisca, Ia. Superintendent H. E. Deter attended the nmencement exercises at the college.

MISSOURI VALLEY, Ia., July 30 .- (Spe cial.)-At the district convention held here yesterday Hon. L. R. Bolton of Logan was ominated as state senator on the fusion ticket. The populist convention worked hard to secure the nomination of Dr. Evans of Onawa, but the democrats in an adjoining room completed a fusion by which their man received a majority from both sides and he will carry the standard.

Euston Candidate for Senator.

Minister Killed by the Fast Mail. CRESTON, Ia., July 30 .- (Special Telegram.)-Rev. Otto Noll, a German evangelical minister, was instantly killed at Afton Junction today by being struck by the Burlington fast mail.

HOW IT FEELS TO FALL A MILE Prof. Barnard's Thrilling Experience

Up Among the Clouds. Prof. A. W. Barnard, the celebrated peronaut, had a phenomenal escape from death a few days ago at Nashville, Tenn. He fell from a height of 5,000 feet and lives to tell of his thrilling experience. The balloon which supports his airship burst when nearly a mile above the earth. He and his apparatus plunged back to solid ground, and the remarkably fact is that he escaped serious injury. He was badly shaken up, but quickly recovered from the shock up, but quickly recovered from the snock sufficiently to walk. The daring aerial navigator owes his escape to the fact that his balloon luckily transformed itself into a parachute. Prof. Barnard arranged to nake a quiet voyage with his airship for experimental purposes, and his ascension was not advertised. He made it from the grounds of the Tennessee Centennial exposition. Not many persons knew of his intention. He began his flight into the upper regions without demonstration and with no rowd present to cheer him on. He had made careful preparations, forcing nearly 5,000 feet of hydrogen gas into the balloon. This was more than he had used on any of his previous trips, and the fabric of his balloon was distended until it almost snapped with the tension. There is a theory that the gas expanded when the floating machine reached the rarified atmosphere of a high altitude until the strain became too great for the balloon to stand.

When Prof. Barnard shouted "Let her co!" his assistants released the machine and it shot away from the earth like a mighty bird. As it rose above the trees and buildings it attracted the notice of people, and news of the ascension spread from mouth to mouth. The streets were quickly filled with spectators and many hurried toward the exposition grounds. The daring inventor was plainly seen manipulating the machinery until the airship was high in the air. When it had become a mere speck against the sky the spectators saw it denly reverse its course and began to fall. It was soon observed that the balloon and its attachments were wobbling in a strange

manner, and it became evident to the anx lous throng below that something had gone wrong with the airship. As the falling machine and its lone passenger came near enough to be seen distinctly, it was noticed that the balloon had lost much of its gas, for it had lost its shape and its loose sides were flapping like so many streamers. The word was passed that the balloon had burst of the girl and to show disc that she is more than 13 years old. About twenty witnesses will testify on this point, many of whom claim to have known the girl for at least fifteen years. Some of the evidence promises to be rather sensational. The demotion. The balloon was flattened out and locity, and at others floated with an easy motion. The balloon was flattened out and promises to be rather sensational. The depromises to be rather is no written fense will show that there is no written had somewhat the effect of an irregularly fense will show that there is no written had somewhat the effect of an irregularly shaped parachute. It swayed from side to shaped parachute. It swayed from side to shaped parachute.

As the airship shot down to the earth Prof. Barnard could be seen holding with a grip of death to the ropes. When within about 200 feet of the earth the balloon became partially filled with air as it rushed rapidly to the earth. It filled out and the speed of the descent was checked. By the time it struck the ground it was traveling at a moderately low rate of speed, and Prof. Barnard was not even etunned when he finally landed on Mother Earth after his thrilling experience. The balloon, after it struck the earth, drifted up against a fence where it lodged. The gas which was es-caping from the rent in the balloon was suffecating. The balloon fell in a vacant lot outside the exposition grounds, not far

from the main entrance.

As soon as the crippled airship with its human freight struck the earth a large crowd rushed out of the exposition grounds to see what damage had been done. Some were breathless with excitement, for they confidently expected to find Prof Barnard a dead man. They had seen the balloon tumble down to the earth in an unnatural shape and knew that the chances of a hor rible result to the accident was almost sure to follow. They were relieved to find the daring aeronaut eafe and sound. The professor was naturally rattled a bit, but he was only too glad that he landed on a soft place. The lot in which the ship fell is covered with grass knee high, and was about the most comfortable spot that Prof. Barnard could have selected, even if he had an opportunity of making a choice. It is almost miracle that he escaped a horrible death. The trees, houseo and fences near by were objects that he dreaded, and as the affair turned out he was fortunate enough to escape every obstacle.

Prof. Barnard said his intention was to go as high as possible and strike a different current of air. When the airship was about a mile from the earth, and while he was busily engaged in adjusting the ma-chine, he heard a popping noise. He looked up and saw there was a rent in the balloon. He supposed the bursting of the balloon was due to the rarefied air and the heat from the sun, the pressure being so great. The descent of the airship, due to the gas escaping from the balloon, was gradual for a few minutes. The balloon assumed the form of a parachute and the descent became more rapid as it approached the earth. He threw out some ballast to prevent a serious col-lision, and seeing that he was likely to land upon a fence he cast out more ballast and succeeded in landing safely in an

Pushed from a Moving Train. WASHINGTON, Ind., July 20.—Harry Lister, son of the purchasing agent for Monon, was murdered near here last night. He was pushed from the train, it is alleged, by John Williams of Trenton, Mc. Lister's home was Bedford. Williams is in jail. An engineer named George Welch says he saw the murder.

President's Uncle Gets an Office, SAN FRANCISCO, July 31.—B. F. McKiney, uncle of President McKinley, was appointed assistant postmaster of this city by Postmaster Monague,

### MUST KE P WITHIN THE LEVY

Department Appropriations Cannot Fe Enlarged by Transfers from General Fund.

morning. It was in a private letter from OPINION BY CITY AFTORNEY CONNELL

Salaries May be Reduced, or Employes Discharged to Keep Expenses Within the Limits of the Original Levy.

In response to a request from Mayor Moores, City Attorney Connell has prepared a written opinion covering the power of the city council to transfer funds from the general fund to eke out the appropriations for the fire and police departments. The city attorney takes the positive ground that the council has no right to make such a transfer and that any member of the city council who assists in the transfer would be liable on his bond for the amount thus perverted. The opinion was called for on account of tor in 1894-95, will resume the work next

the apparent necessity for some additional provision for the police department. The levy for the police fund will not nearly last through the year at the present rate of expenditure, and the city attorney advises that the Board of Fire and Police Commissioners must keep the expenditures within the levy. He further holds that the board undoubted right to accomplish this by the discharge or suspension of a sufficient number of employes to reduce the expenses of the department to the levy available. The

following is the opinion in full:

OMAHA, July 30, 1897.—Hon. Frank E. Moores, Mayor and ex-Officio Chairman of the Board of Fire and Police Commissioners: Dear Sir—In response to your request for my opinion as to the effect of the resolution recently passed by the council relating to the expenditure of funds by the Board of Fire and Police Commissioners and for my opinion as to the powers and duties of said board with reference to expenditures, I would call your attention to the several provisions of the charter and give you the substance of the carefully prepared opinion which I furnished to D. H. Wheeler while he was a member of the city council regarding the expenditures of the boards and departments of the city in excess of the funds provided for such boards and departments, and regarding the right of the mayor and council to provide additional money for any board or department of the city by a transfer of funds.

LIMITATIONS BY THE CHARTER.

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LIMITATIONS BY THE CHARTER.

I would say to you, as to Mr. Wheeler, that while in the past it has generally been considered that the general fund of the city could be diverted or used for any purpose, a careful investigation of the matter will demonstrate that this supposed right has its limitations.

Section 78 of the old charter, under which the levy of taxes for 1897 was made, gave to the mayor and council power to levy and collect taxes for general purposes not exceeding 14 mills on the dolar valuation in any one year. The same section gave to the mayor and council power to levy and collect taxes for certain specified purposes, it being expressly provided that the taxes levied for such purposes should constitute a separate fund therefor. The amount authorized to be levied and collected for maintaining and paying the police department was not to exceed 5 mills. The mayor and council in February, 1897, made levies for both the fire and police departments to the full limit authorized by law. I am of the unqualified opinion that the expenditures by the Board of Fire and Police Commissioners should be kept within the limit of the levies, and, that expenditures in excess of the levies would be unauthorized and would render the members of the Board of Fire and Police Commissioners may employ firemen and assistants, and shall have power to appoint

It is provided in section 145 of the old charter that the Board of Fire and Police Commissioners may employ firemen and assistants, and shall have power to appoint a chief of police and such other officers and policemen to the extent that funds may be provided by the mayor and council to pay the salaries of such officers. The same limitation of the power to employ firemen and assistants and policemen is contained in section 169 of the new charter.

While section 79 of the old charter limits the amount of levy for fire purposes and police purposes to 5 mills each, section 138 of the new charter contains a somewhat similar limitation, but differing in form. In section 138 of the new charter the levy for the maintenance of the Fire department is limited to \$125,000, and the levy for the maintenance of the Police department is limited to \$15,000. The same section also limits the levy for the general fund to \$225,000. It is provided in section 97 of the old charter, and in section \$2 of the new charter, and in section \$2 of the new charter, and in section \$2 of the new charter, that the city treasuerer shall keep terminate the contained in the cart the old carrier and the youthful David had been discussing Peggotty's culinary skill and Barkis had been assured that the field was clear of rivals. David tells the story.

"Ah!' he said, slowly turning his eyes toward me. 'Well, if you was writin' to her praps you'd recollect to say that Barkis was willin', would you?

"That Barkis was willing.' I repeated, in-ocently. 'Is that all the message?'

"Ye-es, he said, considering. 'Ye-es, Barkis is willin'.'

Strange to say, this brave beginning was devoid of effect. Peggotty after the receipt of the message remained as silent as the sphinx. When David took his next ride in the cart the old carrier was unhappy.

"When a man says he's willin', said Mr. Barkis, it's as much as to say that man's waitin' for a answer.'

"Have you took care that the field had been assured that the field was clear of rivals. David tells the story.

SHALL NOT DIVERT FUNDS.

It is provided in section 135 of the new charter, that:

"Each and every fund shall be strictly devoted to the purpose for which it is created, and shall not be diverted, transferred or borrowed therefrom; any member of the city council voting to so divert, transfer or borrow the money in any fund shall be liable on his official bond for the amount so diverted, transferred or borrowed."

In view of the fact that the legislature has placed a limit on the amount of the several levies for the funds specified, and has expressly declared that the money from none of the funds specified shall be diverted, transferred or borrowed therefrom, I am very clearly of the opinion that no more right exists he general fund to the fire or police fund than there is for diverting or transferring money from any specific fund to the police or fire funds. I am of the opinion that the limitations referred to taken in connection with other express provisions of the charter, precludes the idea that taxes levied and collected for general purposes can be diverted or transferring and to the words, the mayor and council cannot lawfully do indirectly what they have no legal right or power to do directly. To illustrate: It is clear that the mayor and council were limited in power to developed and additional mill or any amount to the levy for general purposes for the expenses and use of the Board of Health to I mill on the dollar valluation in any one year, and are how limited to a levy for reh purpose for food. This limitation plant of the expenses and use of the Board of Health to I mill on the dollar valluation plant of the expenses and use of the Board of Health to I mill on the dollar valluation plant will on the legal right to additional mill or any amount to the levy for general purposes for the expenses and use of the Board of Health. The same principle is true and applies with equal force to the levies for the Free and Police departments.

In other provided the provided the expenses and use of the Board of Health to I mill on the doll It is provided in section 101 of the old charter, and in section 139 of the new char-

principle is true and applies with equal force to the levies for the Fire and Police departments.

I find force given to this view of the limit of the power of the mayor and council to levy and collect taxes and to their power to divert or transfer money from one fund to another by the provisos which form a part of section 191 of the old charter, and section 129 of the new charter, which provisos seem to clearly contemplate that the general fund, as well as the several specific funds, was in contemplation when it was declared that every fund created by the charter should be strictly devoted to the purpose for which it is created, and should not be diverted, transferred or borrowed therefrom. The first proviso to which reference is made authorizes the balances remaining in any special fund after the payment of all liabilities against such fund to be transferred to the general fund. The second proviso authorizes the payment of inspectors of public works, to cover the cost of which it is contemplated that a special fund shall be ejeated, out of the general fund, to be reimbursed from such special fund shall be ejeated, out of the general fund, to be reimbursed from such special fund shall be ejeated, out of the general fund, to be made for the fire and police funds 6 mills for each is insufficient, the fault is with the old law. If the amount now authorized to be made for the Fire department (\$125,000, or for the Police department (\$125,000, is insufficient for the maintenance of these respective departments, the fault is with the present law.

MAY REDUCE, THE FORCE.

I am clearly of the opinion that it is

fault is with the present law.

MAY REDUCE THE FORCE.

I am clearly of the opinion that it is the duty of the Board of Fire and Police Commissioners to keep the expenditures of the Fire and Police departments within the limits authorized by law and that the mayor and council cannot awfully make good buch expenditures in excess of the limits prescribed by law by diverting money out of the general fund. By doing so the councilment voting for such transfer or diversion of money from the general fund, and the mayor approving any resolution or ordinance authorizing this to be done, would render their bondsmen and themselves liable.

As I view the matter, the Board of Fire

render their bondsmen and themselves liable.

As I view the matter, the Board of Fire and Pollee Commissioners, to use a homely phrase, should cut their garments according to the cloth furnished. For the purpose of keeping within the limit prescribed by law, if it he necessary to reduce salaries to reduce salaries or cut down the police force, it should be done. If one board or department of the city can run wild because necessity or the emergency, as the case may be would seem to require it, every other department and board can do the same thing, and the result will be demoralization and deficits all along the line.

With regard to reducing the present force of either the Fire or Folice department. I would say that when the real purpose is to reduce the expenditures within the limits required by law, the Board of Fire and

Police commissioners would be authorized to make such reduction, even though it involved the discharge, as it necessarily would, of a number of men. The board can no doubt adopt some fair plan, should such course be desired, for determining who should be laid off, suspended or discharged.

who should be laid off, suspended or uncharged.

To fully comply with the requirements of the present charter, the provisions of which are somewhat conflicting, it might be well to give any members of the fire or police force proposed to be laid off, suspended or lischarged, a hearing. This would seem to be an unnecessary and useless procedure, but the charter evidently did not contemplate that there would be a necessity for reducing the police or fire force in a city of the metropolitan class. Respectfully submitted,

W. J. CONNELL.

City Attorney.

EVOLUTION OF THE PROPOSAL.

Changes in the Old, Old Story Wrought in Fletten Foundries. Since the time when God made Eve to be a companion to Adam the destiny of lovers has awaited the proposal of man. The sweet old story has been told again and again, by old and young, by lips tremulous and lips firm. Fiction, the mirror of life, has pictured for us the fleeting blush, the trembling oice, the clasped bands.

With the progress of the world and the

evolution of the novel, says the Chicago News, the form of the proposal has changed from grave to gay; from the stilled and courtly to the most delightfully off-hand leclaration. Literature shows the true lover o his time, from the day when Jacob met Rachel at the well down to the electric

As the world emerged from the darkness the middle ages life lost something of its simplicity and the expression of its emo ons became a more complex problem. courtships in our earliest English fiction are intricate affairs, in which the real feel-ing seems well-nigh hidden beneath the kidgloved etiquette and the stilted phraseology

Imagine a nineteenth century girl living Imagine a nineteenth century girl living through such a harrowing experience as that of the heroine of "The Mysteries of Udolpho" or of Amanda in "Children of the Abbey." It must have been extremely depressing and we do not wonder that the tears of sensibility were always coursing down Amanda's cheeks. No proposal was properly carried out by the kneeling swain without a general accompaniment of sighs and tears and death-like swoons.

We are apt to regard the old style as mon-We are apt to regard the old style as mon-

strough unnatural. But it may not be more unlike the manners of that time than are the present descriptions or similar events unlike our own. Our ancestors of two con-turies back had not the free and easy bearing which is to us as the air we breathe.

May Allen Ward's interesting description of an old-time magistrate's various success-

ul and unsuccessful attempts to find a companion to preside over his desolate home gives us some idea of what an undertaking the finding of a wife was in those early Boston days. The judge sent his lady presents of books and raisins, tortoke-shell ornaments and cake. On one occasion he was guilty of a great boldness, concerning which we have this interesting account: "Aske her to acquit me of rudeness if I drew off her glove. Inquiring the reason, I told her was great odds between handling a dead toat and a live hand. Got it off."

The stories of Jane Austen and Miss Edge

worth mark the transition from the old un-natural school to the more modern and real-istic writing. While they do not satirely ose the stilted manner, their characters are impler and are endowed with human nature lke our own. Dickens, that master of human emotions,

has a varied style, yet one easily analyzed. With his fun-loving disposition he could not fall to detect in people's love affairs the element of comedy, and this he holds up to us in clear light. For pure fun what could excel that most unique- proposal of Mr Barkis? The old carrier and the youthful David

"'Have you told her so, Mr. Barkis?'
"'N-no,' growled Mr. Barkis, reflecting about it. 'I ain't got no call to go and tell Again David acts as mediator and Mr. Bar-

asked also to be allowed to share in the pain and disgrace which her gambling father brought upon her; "The Mill on the Floss" tells only of tragedy.

Perhaps this ever-present pain is truer to life than we care to think. are seldom entirely happy and there are few bearts that do not hide a skeleton. Yet we cannot but wish that our mirrors would show us the ideal, the joy without the pain Complaint has been made that few writers approach the natural in the language in which their proposals are couched. They are too ideal-too neatly turned. True, Most premeditated speeches are idyllic. Just as you, my dear sir, carefully rehearsed the graceful proposal you intended to make. You clothed the most beautiful sentiments in the most appropriate language. You imagined the lady's somewhat embarrassed yet altogether satisfactory replies and your own fer-vent responses. But when the time came did you carry it out as you intended? Not a bit of it. You stammered and blundered; you forgot all your pretty speeches and said things instead which would not be at all presentable in print. So, of course, there proposals are not at all natural; of course they are ideal. They are what you intended to say but did not. Occasionally, while making a heroic effort

to bring his proposals within the realm of everyday probabilities, a writer succeeds only in making his characters ridiculous. An auther, whose name I have forgotten, pictures for us a young man, heautifully gotten up for the occasion, coming to make a mornin call upon his lady-love, only to find her en gaged in getting out the family wash. The gentleman, it seems, has the freedom of the house, so he seeks his Dulcinea in her house-hold haunts. While her dimpling elbows are flashing in and out of the snowy suds he makes his declaration of love. For her answer the impulsive young lady flings

## CASTORIA

For Infants and Children.

arms about his neck and hides her burning blushes on his breast. Whether—think of it!—she paused deliberately to wipe the scoapy water from her arms upon her apron or whether—think of it again!—she precipitated herself, coapsuds and all, into his embrace, regardless of broadcioth and immaculate linen, the author neglects to inform us.

However, if you want pure, unadulterated, practical realism, come down to present-day fiction. In this age a man is nothing if he is not practical. He turns aside from a thread-

fiction. In this age a man is nothing if he is not practical. He turns aside from a thread-bare precedent and makes a law for himself. The real, up-to-date proposal is conducted with all modern appliances. We are met by the important question in the street car and on the crowded railway train. The bicycle proposal is recognized as a staple article. The lawyer proposes to his stenographer on the phonograph. The busy man may send the phonograph. The busy man may send the phonograph. The busy man may send the propose to his stenographer on the phonograph. The busy man may send the propose to the stenographer of the propose to the propose to the stenographer of the propose to the propose to the stenographer of the propose to the propose to the stenographer of the propose to the p the phonograph. The busy man may send a telegram or he may call his lady up and declare his sentiments over the telephon when he will be spared half the pain of refusal, but she will lose half the fun of it for she cannot see how he bears it.

#### A KINDLY LUE.

One of the Kind Which Makes the World Sweeter. Three business women were dining to gether in a downtown restaurant. One

was middle-aged and of that severe type of feature that sends children off to hide their faces in their mother's skirts, says the Minneapolis Times. Her eyes were wide and frank, and of that familiar shade or turquoise blue which is never accompanied by large pupils. She wore her hair drawn tightly over her temples and her shirt waist hung loosely upon her curveless figure. Her vis-a-vis was a younger woman whose eyes danced gayly from one table to another. Her hair was all a tousle and her skirt sagged slightly away from her belt. Carelessness was written all over her face and figure, but there was so much warmth and good humor in her wide smile that one forgot the carelessness in the good humor. The third woman came in late. She was shy and timid, and looked like a bit of porcelain. The color came and went in her cheeks and her hands fluttered like the wings of a humming bird over the various dishes. She joined her dinner companions, sliding down the aisle between the rows of crowded tables, evidently painfully conscious that the people were observing her. When she reached the table where the sharp-featured woman and the woman with the wide smile were seated she said good evening timidly to the older woman and with a happy unreserve to the younger one. panied by large pupils. She were her hair

chill of reserve in its waxe, and the a vent of the young girl brought a wa-of silence to the conversation which to two older women had been carrying on wi animation. The young girl fingered the menu undecidedly, feeling the weight of the oppressive atmosphere of silence she had brought with her. Finahy she looked up timidly into the cold eyes of the older woman. woman.
"Do you like my dress?" she asked shay.
The eyes of the woman traveled slow!
the length of the girl's figure. She did no

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