COUNCIL BLUFFS.

CITY'S TITLE IS PERFECT request of his congregation, Rev. J. W.

Judge Wheeler Files His Opinion in Case Involving Big Lake.

ADVERSE TO PLAINTIFF ON ALL POINTS

Judge Scott of Superior Court Announces That Old Cases Will Be Wiped Off the Docket.

According to the decision of Judge Wheeler of the district court in the suit brought by George S. Wright and George owes him \$61.96 on the contract and yesterproperty in controversy not only by grant measuring the wood supplied by him to the country and that there was a mistake of sion for a period exceeding ten years. Three terday.

In the decree the court finds that the plaintiffs Wright and Mayne, as owners of property abutting on the government expired. meandered lake, formally known as Big lake, did not give them title to any part of the land within the meandered lines of said lake. Further the court holds that there is no part of the lands within said original government meandered lines which had become or are accretions. Wright and Squire & Annis, 101 Pearl street: original government meandered lines which

Win Tax Suit.

In the suit brought by Wright and Mayne to restrain the city from levying taxes for municipal purposes on their property abutting Big lake, the court decided that the land was held for agricultural purposes only and as such was not subject to assessment for city taxes.

In the divorce suit of Gertie Taylor against John Taylor, the defendant yesterday filed his answer and cross petition. Taylor asserts that he has been all that a dutiful and loving husband should be, but that on the contrary, his wife had from shortly after their marriage treated him in a cruel and inhuman manner; that she had threatened to poison him and on one occasion had hurled a lighted lamp at him.

He asks that he be granted the divorce in place of her and that he also be given the 409 Broadway. place of her and that he also be given the place of her and that he also be given the Mrs. Eva Murray of Willow avenue is General James B. Weaver is visiting in custody of their minor son, for "one al- visiting friends in Chicago." the city. He has recently returned from leged kidnaping Taylor was re ntly ar-

With the opening of the September term of the superior court Judge Scott anbe dismissed unless the parties interested file trial notices within a few days. Judge Scott is growing weary of term after term of court of the city. Apply to The Bee of court passing without a single case being tried before him. Some of the cases on the docket have been there so long that they have become mildewed or fossilized. Judge Scott yesterday went through the formality of making an assignment, which

Tuesday, October 13—Eliza Nichol against D. Eckte, D. C. Smith against J. W. Dixon, Joseph Bejma against Fidelity Building and Loan association of Ottumwa, Postai Caole Telegraph Company against R. V. Innis.

innis.

Wednesday, October 14.—Guthman, Carpenter & Telling against Meyer H. Pearlman, C. Haiter against Anna Hutchinson, Charles E. Kimball against Clark, Moore & Co., Commercial National Bank against Anna Hutchinson.

Thursday, October 15.—Minnie Dunn against Emma Metcaife, George H. Stillman against Joseph Hague, Fremont Benjamin against City of Council Bluffs, George H. Gable against Meyer H. Pearlman, Bethers against Thompson & Fitzgerald.

Struck by Passing Car.

Robert Stevens, a medical student living at 1028 Fifth avenue, was the victim of a peculiar accident while returning from omaha about midnight Monday. He was standing on the rear platform of one of the new cars and leaning slightly over the railing, when he was struck by a westbound car and rendered unconscious. A stiff hat which he was wearing evidently saved him from a fractured skull. His right arm was badly bruised. The accident occurred at Thisty-fifth street and Stevens was brought up town, where he was attended by Dr. V. L. Treynor.

The accident was mainly due to the fact that the new cars are much wider than the old ones and when two of the new cars meet on the parallel tracks there is very Omaha about midnight Monday. He was

meet on the parallel tracks there is very little space between them. On some of the curves the new cars cannot pass each The space between the new cars when passing one another is further lessened by the fact that they all sag on the left side because of the motors being loaded on that side instead of in the centur. Stevens' injuries, while painful, are not thought to be serious unless it should develop that when the awelling of the arm goes down some of the bones are fractured. The accident it is expected will result in the motor company placing guard screens on the left side of the rear platform of the

new cars similar to those on the open cars. Democrata Select Chairman.

Attorney P. W. Miller of this city has been selected as chairman of the democratic county central committee. It is the intention of the democrats to have a big rally in this city some time during October, at which Jerry Suffivan, the candidute for governor, will be the principal speaker. Another meeting is also proposed at which an effort will be made to secure William J. Bryan as the principal speaker.

N. Y. Plumbing Co. Tel., 250. Night, F607.

Two Methodist Preachers Return. As a result of the Methodist conference in Indianola only two of the Methodist churches in this city retain their former pastora. Rev. A. E. Buriff has been reurned to Trinity church and Rev. Louis Ripley to the Epworth church. It was expected that in face of the unanimous

LEWIS CUTLER MORTICIAN, Fifth Avenue Methodist quurch, but instead he was assigned to the church at Carroll, and Rev. W. N. Graves was appointed to the Fifth Avenue church. Rev. Graves comes here from Boone, where he was pastor of the church for the last year. Rev. W. J. Stratton will be the new pastor of Broadway church, coming here from Carroll. Rev. A. E. Griffith, D. D., remains here as presiding elder.

Lindt Sues on Claim.

Attorney John Lindt, who two years ago had a contract with the board of supervisors to furnish cord wood for the county courthouse and poor of Kane township, at Martin and Auditor of State Carroll, being H. Mayne to wrest a portion of Lakeview day brought suit to recover the amount in park from the city, the City of Council Justice Carson's court, Lindt claims that Bluffs has an unassailable title to the a mistake was made two years ago in eleven and three-quarter cords in favor of weeks ago Judge Wheeler handed down his the county. At the recent session of the decision dismissing the suit of Wright and | board of supervisors Lindt presented a bill Mayne, but the decree in the case was not which was promptly turned down, the signed and entered for record until yes- supervisors taking the stand that if any mistake had been made their attention ought to have been called to it at the time and not two years after the contract had

Plumbing and Heating. Bixby & Son. Real Estate Transfers.

The following transfers were filed yester-

Mayne contended that a portion of the present park was in fact accreted land and as such belonged to them as owners of the property abutting.

The court further holds that the City of Council Bluffs is invested with the title to all of the tract within the government meandered lines of Big lake by grant of congress of the United States and by adverse possession for a period exceeding ten years. This is adverse to the contention of Mayne and Wright that congress granted to the City of Council Bluffs property belonging to private individuals and to which the government had no title.

In conclusion Judge Wheeler finds that Wright and Mayne have no right, title or interest in or to any of the lands under or out of water within the original government meandered lines of Big lake.

Win Tax Suit.

Marriage Licenses. Licenses to wed were issued yesterday to there were two conventions held.

Name and Residence.
Charles Wood, Council Bluffs....
Lottie Knauss, Council Bluffs...
Julius Pedersen, Council Bluffs...
Carrie Jonassen, Council Bluffs...

MINOR MENTION.

Davis sells drugs.

the following:

Stockert sells carpets. Crayon enlarging, 308 Broadway. Expert watch repairing. Leffert, 409 B'y. Celebrated Metz beer on tap. Neumayer. Diamond betrothal rings at Leffert's, 409

Hugh Bryan, committed to the hospital at Mount Pleasant for chronic inebriates at s own request, was taken there yesterday y Sheriff Cousins. Wickham Brothers have secured the contract for the construction of the building to be erected by the Nebraska Telephone company on Scott street.

An important meeting of the Ladies' Aid society of the First Congregational church will be held this afternoon at 2 o'clock at 621 West Broadway. D. B. Coats, formerly a conductor in the employ of the motor company, left last evening for St. Louis, where he has secured a position on the street railway.

We contract to keep public or private houses free from rouches by the year. Insect Exterminator Manufacturing company, Council Bluffs, Ia. Telephone F-634.

Prof. Orville T. Bright of Chicago will give an illustrated lecture Saturday evening at the High school on "Booker T. Washington and His School at Tuskegee."

The Ladies Aid of the People's Mission, Thirty-fifth and Avenue B, will keep open house Thursday of this week and serve supper from 4 until 8 o'clock at the church. Everybody welcome. Henry Langmade and Barton Burk, two young lads, were taken in custody last evening charged with "flipping" motor cars. They were allowed to go home on their promise to appear in police court this morn-ing.

The richest, daintiest photographic effects

Camp 7151. Modern Woodmen of America, will have as its guests this evening a delegation from Camp 120 of Omaha. The foresters of the Omaha camp will have charge of the degree work. After the Jouanness session refreshments will be served and a social time enjoyed.

clai time enjoyed.

The receipts of the general fund of the Christian Home last week were \$185.85, being \$14.15 below the needs of the week, and increasing the deficiency in this fund to date to \$2.658.10. In the manager's fund the receipts were \$25.65, being \$6.35 below the needs of the week, and increasing the deficiency to \$188.55 in this fund to date.

GENERAL RANEY IS AT HEAD Again Chosen Commanding General of

the Patriarcha Militant, Independent Order of Oddfellows.

BALTIMORE, Md., Sept. 22.-The sovereign grand lodge of the Independent Order of Odd Fellows today unanimously re-elected General M. A. Raney of Ma-The report of the committee on appeals

was adopted and many resolutions were introduced asking that the grand decoration of chivalry be conterred on certain members of cantons in good standing. This evening there was a reunion of past grand representatives at Masonic temple. Past Grand Sire A. Curtis Cable of Cov- the engine, and his head cut off. ington, O., presided and Edwin Warfield of Maryland delivered an address. During the evening a dress parade was given by the Patriarchs Militant in the Fifth regiment armory, in which all the visiting and local cantons participated. Later the application of the militant degree took place him to death instantly, behind closed doors. There was a recepfon by the local Rebekah lodges to visiting Rebekahs and tally-ho parties for the

wives of visiting Odd Fellows.

Election Board Busy with the Emmet-Dick-

inson Representative Case. GENERAL WEAVER STRIKES OIL IN SOUTH

Governor Cummins Has His Speech Prepared and is Ready for Open-

> ing of the State Campaign.

(From a Staff Correspondent.) DES MOINES, Sept. 22 .- (Special.)-The first case of the kind ever brought to trial in Iowa was opened this morning before the state election board, consisting of Ata contest to decide which of two persons is to be regarded as the regular republican comince for representative in the Emmet-Dickinson district.

The contest court is presided over by

the attorney general and witnesses were sworn in by a notary. B. F. Robinson of Armstrong, the present incumbent of the office, appeared with his attorney, N. J. Lee, who is assisted by Judge Carr of this Dr. Q. C. Fuller of Milford appeared L. E. Francis as attorney and is and through the stock yards district. city. assisted by Senator Cheshire of this city. With Mr. Robinson are W. R. Ashford, C. C. Galloway, F. C. Henningson, J. A. Finlayson and William Stewart, all delegates to the convention. F. P. Woods, who was chairman of the delegation, and F. C. Williams, who presided at the convention will come tomorrow. Dr. Fuller was ac- GREEK KILLED AT DAVENPORT companied by Dr. A. E. Rector, Fred Jones, Kasson Myers and E. E. Holdrege of the Dickinson delegation. C. A. Williams, the Dickinson member of the com mittee, also came.

The protests of the contestants were read and the taking of testimony combut the force of the contest would be down by Montgomery and died soon after-90 directed to showing that at least Robinson ward of concussion of the brain. is not entitled to a place on the ticket. 1 The Emmet county delegation contends that Robinson was properly nominated. The Dickinson county contention is that Montgomery was arrested. only a part of the convention participated, and that not a quorum, hence no nomina tion was legally made. From the way the matter started out the contest will last at I least two days. A number of witnesses were examined today, the general tendency being to indicate that the convention failed to get to any kind of an agreement, and

Fatal Fall of Painter. Louis Harkins, a painter, fell to his death while engaged in work this morning. Mr. Harkins and Elmer Edenburg were en-

gaged in painting the front of a building on East Sixth street occupied on the first floor by the Senate saloon. The scaffold broke and both were precipitated to the pavement, a distance of about twenty-five feet. Harkins struck on his head and the skull was fractured so that he died in a few hours. Edenburg was badly bruised,

General Weaver Found Oil.

See the hand-painted china in the show window at C. E. Alexander & Co.'s, 333

Broadway.

Mrs. L. P. Nichols and Mrs. E. P. Nichols are home from a visit with relatives in Cleveland, O.

Mrs. Harry Oelrich of Butte, Neb., Is a patient at the Women's Christian Association hospital.

For rent office room.

The city council of Des Moines two years ago had erected on East Sixth street the abutments for a bridge, and let the confor the bridge to a local firm for \$39,975. The firm did not build the bridge, but got extensions and finally asked to be relieved of the contract on the ground that it would lose money if the bridge was built now. New bids were submitted and opened today and the lowest bid was one for \$66,481 and other bids ranged up to \$73,000, the contractors declaring there is this difference between the price of steel and bridge materials now and two years ago. The bids were all rejected and the bridge may not be built at all.

Governor's Speech Prepared. Governor Cummins has completed the preparation of his speech to be delivered in this city next Saturday evening on the opening of the state campaign. The speech will be sent out by him in advance and will go as a supplement to the weekly newspapers of the state as it is regarded as the keynote for the campaign. The state mmittee has fixed the following dates for Jerry Sullivan, democratic candidate for governor: Guthrie Center, Sept. 24; Lineville, Sept. 25; Washington, Sept. 26; Sioux City, Sept. 28; LeMars, Sept. 29; Cherokee, Sept. 30; Sac City, Oct. 1; Fort Dodge, Sept 2.

Selecting a Richards Jury.

The trial of the case of the state against ex-Marshal Richards was commenced in Indianola this morning and a novelty in selection of the jury was the persistent questioning of the attorney for the state as to whether or not the persons on the panel had been invited to see E. H. Hunter, and whether they knew E. R. Mason, both of Des Moines. Hunter is accused here of being a "jury "has" and Mason is the clerk of the United States court. The state has brought their names in as part of an effort to prejudice the defense, but all the persons called on the jury denied they had ever been approached by anyone in regard to the case. Richards will make a defense of

absence from the scene of the robbery. Old Swamp Land Case.

Register Howard of the United States and office held court today and gave a in Northwestern Iowa. The land is claimed by Dr. Frunk A. Stubblefield and Isaac A. Hammers by title proceedings from the state under the swamp land act. It is also claimed by the assigns of Wm. E. Moses of able area in the eastern portion of the dicates that the engagement will be very Denver, who purchased soldiers' claims and filed upon the land and secured patents direct from the United States. The contest rengo, Ia., commanding general of the hinges on whether or not the land was Patriarchs Militant for a term of four actually swamp land at the time of the passage of the act in 1850.

Killed by Train. BURLINGTON, Ia., Sept. 22.-(Special Telegram.)-In attempting to cross the Rock Island truck here this afternoon Jacob Baker, a well-know citizen, aged 60, was struck by a passenger train, knocked under

Log Crushes a Boy. RIVERSIDE, Ia., Sept. 21.-Special Tele gram.)-A wagon on which the 8-year-old son of L L Scott was riding, broke down and a log rolled upon the boy, crushing

Warm Contest for Sheriff. ONAWA, Ia., Sept. 22-(Special Telegram.)-The republican county convention

CONTEST PLACE ON TICKET of Monona county met at the court house at 1:20 p. m. The court room would not hold the crowd and the convention adjourned to the opera house. On the seventh ballot Vincent was nominated for sheriff by 73 votes, to 67 for Oliver, ending the live-liest republican contest for sheriff held in the county. L. M. Jones, for treasurer; F. E. Lark, for superintendent; J. W. Huff, for coroner, and R. S. Fessenden, for surveyor, were all nominated by acclamation. T. N. Wooster of Mapleton was nominated for supervisor on the first formal ballot over Carhart of Center township, 76 to 55.

SHUTS OUT GREAT WESTERN Northwestern Scores Heavily Through Action of the Sloux City

Aldermen.

SIOUX CITY, Sept. 22 .- (Special.)-By engineering a measure through the council in one night the Northwestern railroad has scored a coup by which it will be extremely difficult and expensive for the Great Western road to get into Sloux City. The situation here is similar to the one at Omaha and will result in a flerce fight between the roads. The Northwestern secured from the council a free grant of stub streets across the right of way of the Northwestern which effectually shuts out the entrance of the Great Western road along the Floyd valley

This was the route approved by President Stickney and in fact the only feasible one. Now the Great Western will have to come in through the Perry creek valley or bore through the hills, both plans involving great

Business Man Knocks Him Down and He Dies from Concussion of the Brain.

DAVENPORT, Ia., Sept. 22 .- Leo Limmenced. Carr and Cheshire stated the poropoolos, a Greek fruit dealer, was killed positions of their respective sides in the here today by H. J. Montgomery, a Davencontroversy, from which it became evident port business man, who found the Greek that no serious effort would be made to quarreling with another man in an alley be prove that Fuller was really nominated, hind his store. Limporopoolis was knocked

The killing excited the local colony of Greeks, who thronged the room where the coroner's inquest began this afternoon.

Former Banker is Indicted.

court has indicted E. C. Hutchison, former institution now defunct located at Pisgah, In. Hutchison was yesterday arrested and oner was released. A new bank has been opened at Pisgah known as the Pisgah Banking Co. This institution has bought the banking house and fixtures of the old president, and H. D. Silsby, cashier.

Will Do All This for You. Dr. King's New Life Pills puts vim, vigor organ of the body. Try them. 25c. For sale by Kuhn & Co.

CORN IS NOT BADLY HURT Weather Bureau in Washington.

WASHINGTON, Sept. 22.-The Weather bureau's week'y crop bulletin says: Notwithstanding the occurrence of light to heavy frosts generally throughout the corn belt, the corn crop has escaped injury, except in the western portions of Kansas and Nebraska and in the Dakotas,

Minnesota and Wisconsin. While low temperatures have prevented rapid ripening, especially over the western districts, the crop as a whole has advanced favorably, although the late planted in the Ohio valley and in Tennessee has suffered from drouth. A large part of the crop is predicated upon the two indictments now safe, but the bulk of the unmatured will require from one to two weeks of favorable weather.

The weather has been favorable for the completion of spring wheat harvest on the Clock company of Binghamton, N. Y. northern Pacific coast. In the Dakotas and Minnesota spring wheat in shock has been injured and threshing delayed by wet Mr. Beavers' bondsmen on two \$5,000 bonds, weather.

Plowing and seeding have advanced satisfactorily except in the Ohlo valley and in the same surety on more than two bonds Tennessee, where the soil has been too dry, and in the northern portion of the middle Atlantic states, where there has been too much rain.

NEBRASKA CROP CONDITIONS

Frost Damage Light in All but Northern Central Counties of the State.

Weekly bulletin of the Nebraska section of the climate and crop service of the weather bureau for the week ending September 2, 1903:

The past week has been cold, with light to killing frosts and generally light rain- Rosabel Morrison's work in this play has The temperature has averaged 10 degrees ing "The Storks" will flop their merry below normal, with minimum temperatures; wings, the engagement lasting over Saturon the morning of the 16th but slightly day with a matinee on Saturday afternoon

above freezing in southeastern counties and 10 to 12 degrees below freezing in some western counties, and heavy to killing frosts at Toledo. O., and will come from there occurred generally. In the extreme south- to Omaha on a special train, reaching here eastern part of the state only a light frost on Sunday night, to make ready for Mon-

ers on the first days of the week, gen- the Omaha return engagement, for they erally amounting to less than half an inch. are passing some very good towns to get At the same time snow fell in some north- here. All this week mechanics are at work western counties to a depth of two to seven on the stage at the Boyd, installing the inches.

The dry weather of the week has been favorable for having and threshing. Wheat saring to the claimants of a tract of land has been sown, but in extreme eastern counties the ground was too wet a large portion of the week.

Corn in extreme southeastern counties was uninjured by frost and in a considerstate the damage was but slight, while in successful.

central, western and in some northern coun-

ties corn was much damaged by the frosts.

Director Sage of the Iowa Crop Service bureau issued a crop bulletin for the week ending September 21, says: The first half of the past week was unseasonably cold, LOGAN, Ia., Sept. 22.—(Special.)—The wet and cloudy, and the last three days grand jury of the Harrison county district were fair and much more favorable for the matured crops. At the Des Moines station owner of the Bank of Pisgah, a banking the daily average temperature was 9 degrees below normal. The deficiency was greater in the west and north, and less in a bond of \$1,500 required. The bond was the south and east districts. In all sections signed by Hutchison's father, who is a light to heavy frosts were reported and at Council Bluffs realty dealer, and the pris- a few stations the frosts were described as "killing" on the 17th and 18. Later reports, however, do not justify this extreme designation, except as to effect on tender vegetations and on very low ground. bank and has for officers W. J. Burke, The corn crop appears to have escaped any very serious damage, even in localities where the temperature was lowest. The subsequent drying winds have been very favorable to the most advanced portion of and new life into every nerve, muscle and the crop, and corn harvesters have begun operations in all sections. With continued ripening weather the bulk of the crop will be safe from harm by frost by September 30. But some of the area planted will yield nothing but poor fooder. Threshing was At Least that is the Opinion of the delayed by wet weather, and reports indicate considerable damage to grain in stacks as well as shocks. advanced

BEAVERS WANTED IN COURT Must Answer Two Additional Charges and Give New

Bond. NEW YORK, Sept. 22.-Counsel for George W. Beavers were informed at the dusion of an adjourned hearing today in the Beavers case that Mr. Beavers must be produced before Commissioner Hitchcock immediately to answer to two additional complaints received against him, recently returned against Beavers in Washington for an alleged conspiracy to defraud the government in connection with Senator

It was also made known that other surety than J. R. Brown, who is now must be produced, the practice of the district attorney's office being not to accept An adjournment till Friday was granted to give the defense time to bring contempt proceedings against District Attorney Youngs and his stenographer of Brooklyn, and Postoffice Inspector Littel, for fallure to answer subpoenas made out by Commis

George E. Green and the Bundy-Time

sioner Hitchcock. A Good Thing for Mother. If she is tired out, sickly, run down, Electric Bitters will give her new life, or there's no charge. Try them. 50c. For

sale by Kuhn & Co. Announcements of the Theaters.

This afternoon and evening "The Deserted Bride" will be the attraction at the Boyd. Bargain prices rule for the matinee. Miss been very much praised. On Friday even-

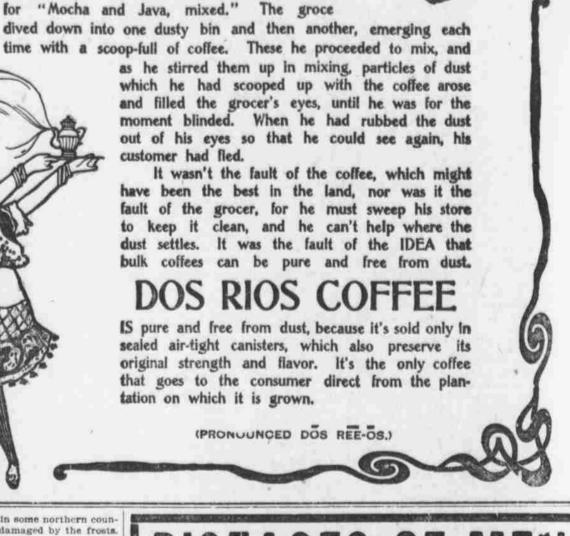
"Ben-Hur" is being presented this week

day night. This long jump shows the im-The rainfall was confined to light ahow- portance attached by Klaw & Erlanger to machinery necessary to the production of the great spectacles of the play. It will be given here just as it was in New York. just as it was last season, with every effect and accessory necessary to success. The sale of seats opens on Thursday morning. at which time all orders will be filled in order of receipt. The request for seats in-

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WHY? Because it will positively cure it, with more safety than any other remedy known to the medical profession. Be careful, however, that you get Hunyadi Janos, as some concoctions are put up and represented to be Hunyadi Water which are not only worthless, but are often harmful. Your physician will recommend Hunyadi Janos. Look at the label, it is Blue with Red Center.



It is not so much of a calamity that a man contracts disease or weakne s es, but that he neglects them or fairs to secure the proper treatment for their cure.

Why wait until your whole system becomes polluted with disease, or until your nervous system is tottering under the strain, and you are a physical and mental wreck, unfit for work, business, study or marriage? Uncertain or improper treatment can only do harm. There is only one perfect, safe and lasting cure for you, which you will find at the State Electro-Medical Institute. Start right, and start at once. Delays are always dangerous.

WHERE THE FAULT LAY.

buy a pound of coffee. He wanted what he'd been

brought up to believe was the best, and asked

A man went into a grocery store one day to

I TREAT MEN ONLY AND CURE THEM QUICKLY, SAPELY AND THOR-

EVERY MAN suffering with any I WILL CURE YOU PRIVATE DISEASES, VARICOCELE, STRICTURE, KIDNEY OR DER DISEASES, POISONOUS DISCHARGES, BLOOD POISON, WEAKEN-ING DRAINS, IMPOTENCY, NERVO-SEXTUAL DEBILITY, with any of its numerous distressing symptoms, owes it to himself, his family, and especially to the future generations to get cured promptly, safely and thoroughly. OFFICE HOURS: 8 a. m. to 8 p. m.; Sundays, 10 to 1 only.

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