

COUNCIL BLUFFS

HANDICAP ON PAVING LIFTED

Decision by State Supreme Court Welcomed by City Officials.

WILL PERMIT QUICK ACTION ON PAVING

Instead of Waiting Thirty Days After Petitions Designating Material Are Filed the City Can Now Go Ahead with Work.

The city does not have to wait thirty days after the filing of petitions designating material before the contractor and going ahead with the actual work. This point, much to the satisfaction of city officials and many property owners, has been definitely settled by the supreme court in a decision just handed down in what is known as the Eddy case, which was brought in the district court to invalidate paving taxes. The district court found against the city, but these rulings are completely upset by the supreme court. Important points adjudicated in favor of the city and the taxes involved declared valid and binding.

The decision means the expediting of a great amount of paving in Omaha this summer and will make it possible for a dozen or more streets to be paved during July instead of August, providing that the property owners are prompt in signing, acknowledging and filing petitions designating material, after bids are received and duly advertised.

Month's Delay Obliterated

It will not now be necessary for this city to hold back a full month before awarding the contracts and giving the contractor time to proceed. If the petition comes in one day after the proper advertising and is a perfect petition the contracts can be signed up immediately and as much time saved.

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City Attorney Ireen said: "The decision settles the matter of the proper procedure in the case of a petition for paving. It is now possible to sign up the contract and bond executed and order the contractor to begin work without waiting for the full time to expire."

The auditor also expressed to his successful conclusion by Assistant City Attorney Herdman, who says that, besides putting a better time on paving operations for 1904, the decision will save dispute in large amount of special paving, including those for the new saving on North Sixth street, which has been threatened with litigation inspired by disgruntled and unsuccessful contractors, on the very pretext that is now wiped out and done away with.

WAYS OF YOUNG AMERICAS

Little Gamin Wipes Dirt on His Face to Keep Clothes Clean.

They were two of the world's happy people and the sun was shining for them all day long. The older lad, who had been dressed for rough and tumble play; the younger, about a foot and a half high, was rigged out in a clean overall suit with a saucer cap to match. He had all the appearance of Young America, that even a devil-wagon couldn't frighten. He was pitcher in the ball game, but instead of wiping his grimy paws on his clothes he wiped them on his face.

BONDS MAY NOW BE ISSUED

South Omaha Able to Proceed with City Hall Securities Under Sears' Decision.

Judge Sears has rendered a decision which will have the practical effect of allowing the mayor and council of South Omaha to go ahead with their plan to issue bonds for the building of a new city hall and the acquiring of land for park purposes. The court denies the injunction prayed for by Magdalena Pivonka to prevent the issuance and sale of the bonds voted at a special election held April 2. The bonds voted and which will now be issued and sold will be in the amount of \$70,000 for a city hall and \$40,000 for park purposes. This is the second attempt of South Omaha within the year to issue bonds for purposes specified in the general election. The meeting of the association was held at that place and other changes in the police department of the California city, it was thought best to change the meeting place.

DONAHUE GOES TO MEETING

Chief of Police Will Attend Officers' Convention at the National Capital.

Chief of Police Donahue left Friday for Washington, D. C., to attend the national meeting of the Police Benevolent Association, which convenes there May 21, 24 and 25. During his absence from the city the duties of his office are being looked after by Captain Moystyn. The chief probably will be gone for ten days.

Craigton to Meet South Dakota

VERMILION, S. D., May 20.—The debating team of Craigton university, Omaha, will meet a similar team from the United States university in this city next Thursday evening, May 23. The question for discussion is: "Resolved, That the History of Trade Unionism in the United States During the Last Twenty Years Shows a General Tendency Detrimental to the Best Interests of this Country." The university team is made up of the same members who defeated Brookings last week in the defeat of Richard Lyons, who gives way to W. D. Shouse. The locals also have the same side of the question, the negative.

Former Postmaster Goes to Prison

CHEYENNE, Wyo., May 20.—(Special.)—W. S. Ulrich, former postmaster at Ranchester, Wyo., and who has been employed on the street cars of Pueblo, Colo., for some time, this evening pleaded guilty in the United States court to raising a receipt from BELT to BELT, and was sentenced by Judge Riser to serve one year and one day in the state penitentiary.

Machinery for Asphalt Plant

The building, machinery and appliances of the municipal asphalt plant have arrived from Indianapolis and will be assembled and the plant made ready for use as soon as possible. Assistant City Engineer Craig thinks this will require about fifteen days of steady work. The asphalt plant is located at Twelfth and Nicholas streets, and it is known that he had considerable money at the time.

TELEPHONE MEN IN SESSION

New Independent Company Arranged to Connect with Outside Independents.

VISITORS TAKE STOCK IN LOCAL CONCERN

Fourteen Outside Companies Operating Seventeen Thousand Telephones Represented in the Meeting.

Fourteen independent telephone companies now operating in southwestern Iowa were represented yesterday at the meeting held in this city at the invitation of the officers of the Council Bluffs Independent Telephone company.

The meeting was for the purpose of making arrangements for connection between the outside companies and the local company and to discuss the matter of financing the local company. The outside companies are enthusiastic over the prospects of getting connected with Council Bluffs and the representatives present subscribed for \$40,000 stock in the Council Bluffs company. In consideration of their subscribing for this amount of stock the outside companies are to be represented on the board of directors of the Council Bluffs company by two members to be selected later.

The fourteen companies represented at the meeting contracted to connect with the Council Bluffs company at the earliest date possible. All of these companies will extend their lines to within twenty miles of Council Bluffs and the local company will build out to meet them. It was agreed that all the independent systems connecting with the Council Bluffs company shall replace their iron lines with full copper wires.

Thomas Bullock of the South Omaha and Plattsmouth independent systems was present and arrangements were made whereby the Council Bluffs company will connect with the South Omaha system. The connection will be made by an overhead cable across the Missouri river at a point opposite South Omaha and just west of Manawa.

The independent companies represented at the meeting were: Woodbine Telephone company, Harrison Telephone company, Independent Mutual of Shenandoah, Cass County Independent of Atlantic, New Monona of Onawa, Crawford County of Denison, Tabor City Telephone company, Shelby County, Interstate Telephone company of Modesto, Hawke of Des Moines, Oakland Telephone company, Carson Telephone company, Montgomery County of Red Oak and the Corning Telephone company.

Thirty-five representatives of these companies were present and in the middle of the day were entertained at luncheon at the Grand hotel by the members of the local company. Mayor Macrae and Congressman Walter I. Smith made short addresses at the luncheon. The meeting was held in the new offices of the local company in the Merriam block. F. J. Day, president of the Council Bluffs company, presided. The companies at the meeting, it was stated, represented 17,000 phones.

WOODBURY COMPANY IN TROUBLE

Creditors of William G. Woodbury File Petition in Bankruptcy

Within three days of the filing of articles of incorporation of the Woodbury company, creditors commenced bankruptcy proceedings yesterday against William G. Woodbury, senior member of the firm. The petitioning creditors are Perry, M. Kenworthy of Chicago, with a claim of \$900. The New York Plumbing company of this city, with a claim of \$2, and Peter Jensen, cigar manufacturer of this city, with a claim of \$350. Archibald Whitelaw was appointed receiver and qualified by filing a bond in the sum of \$10,000.

When Receiver Whitelaw demanded possession of the stock he was refused on the grounds that it was now the property of the Woodbury company, and no longer belonged personally to Mr. Woodbury. Application was then made by the petitioning creditors that Mr. Woodbury be cited to appear and undergo examination as to his property. Referee in Bankruptcy W. S. Mayne set Monday morning for the examination.

The Woodbury company was incorporated last Thursday with an authorized capital of \$50,000. The incorporators being William G. Woodbury, H. C. Woodbury and John Pearce, all of this city. George Hillman, attorney for Mr. Woodbury, admitted yesterday that the firm was in financial difficulties, and that there would have to be a liquidation. The indebtedness of the firm, Mr. Stillman said, was \$65,000. On this \$65,000 there was a cash account of \$1,000, due the First National bank of Council Bluffs and \$5,000 due Charles R. Hannan. Regarding the recent incorporation of the company Mr. Stillman said that of the 500 shares of stock of the firm, 400 were held by Mr. Woodbury and 100 by Mr. Stillman. Mr. Stillman stated that he had been issued six shares and the remaining 94 had been paid for in cash. To protect his creditors Mr. Stillman said Mr. Woodbury had turned over his 94 shares of stock to J. H. Penny, representative of the Carson, Pirie, Scott & Co. of Chicago, and T. G. Turner, cashier of the First National bank of this city, as trustees, to be held by them for the benefit of all creditors pending a settlement or liquidation. The stock and fixtures, Mr. Stillman stated, were valued at \$60,000.

MANAGER HELD FOR CONTENT

Rival "Phone Concerns in Fight Over 'Injunction' to Compel.

SIoux CITY, Ia., May 20.—(Special.)—The Iowa Telephone company is engaged in a warm war with the Sioux City independent line, which uses the automatic "phone" system. The independent company got out an injunction requiring the Iowa company to restore the telephone. This they did not do and today E. A. Clark, manager of the Iowa company, was held in \$5,000 bonds in contempt of court. A warm fight ensued in court over the meaning of an injunction, that an injunction could not be secured to cause a thing to be done, but to restrain a party from doing an act.

Man's Body Found on Tracks

ROCK SPRINGS, Wyo., May 18.—(Special.)—The mangled body of Charles Fishbaugh has been found on the Union Pacific tracks near here and the authorities believe Fishbaugh was murdered by the train. The body was found on the tracks to cover up the crime. The dead man was seen at Point of Rocks a few days ago in company with some tramps, and it is known that he had considerable money at the time.

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YOUR CREDIT IS GOOD  
THREE POWERFUL WORDS  
The three words which will accomplish this modern wonder are: "I WANT CREDIT."

Carpets, Rugs and Draperies  
All Wool Ingrain Carpets, heavy weight regular 75c  
Brussels, Rugs, 9x12, 1905 patterns, in choice colors 15.75  
Japanese Matting, cool and pleasant for summer use, 19c  
Nottingham Lace Curtains, 3 1/2 yards long, 60 inches wide, pretty patterns, \$2.50 values, special 1.69  
Ruffled Mulin Curtains for bedrooms, \$1.00 values, 59c  
Hammocks—We carry a large line, on sale, upwards from 79c  
Silver plated Cream and Sugar Sets, guaranteed quality, the bowls are silver, the design is new; on sale Monday, for the set 39c

Go-Carts  
Like cut, rubber wheels, adjustable reclining back and foot, automatic brake, satin paragon and all the latest features—16.50  
Folding Go-Carts as low as 1.90

ARMY NEWS AND GOSSIP.  
PORT RILEY, Kan., May 20.—(Special.)—Captain M. Murray, commander of the 10th Cavalry, is conducting a course of instruction in the art of the artillerist, in the event of such action being taken by congress at its next session. It is believed that an entire regiment of field artillery will be stationed at each of the posts of Fort Riley and Fort Robinson, as it is well known that these reservations are the only ones in the country well fitted for the training of field artillery. The 10th Cavalry has been notified to increase the facilities for blacksmithing at this post and the constructing quarters for the construction of a new shop 30x32 feet.

Private Edward H. Marcus, Troop A, Eleventh Cavalry, was detailed Wednesday on duty at the post. The appointment of Herbert W. Morgan as a corporal in the Sixth Cavalry, field artillery, was revoked on Tuesday for the same reason. Corporal Daniel Smith, Troop B, and Sergeant Negro, Troop C, Eleventh Cavalry, have been absent for three days. They were granted Second Lieutenant A. F. Casad, artillery.

Five unassigned recruits of the Ninth Cavalry reported for duty here this week. Captain H. Hart, commanding the Troop, reported that he had assigned to Troop A, Private Oliver and James H. Bind, Troop A. Private Charles E. Hammock, band, Ninth Cavalry, has been notified to report for duty. The Eleventh Cavalry squadron, having completed its target practice, broke camp at the national life range and returned to the cavalry support for duty. The first squadron of the Ninth Cavalry, having been notified to report for duty at the same place, where the members will engage in target practice and drill.

State Secretary Andrew Baird of the Young Men's Christian association visited the post Thursday, inspecting the work of the local organization.  
FORT DES MOINES, Ia., May 20.—(Special.)—The officers and ladies of the post enjoyed a dance at the post hall last Saturday evening.  
Captain Hardeman left on Sunday for Chicago with his daughter, Ruth, who will attend school in that city. The captain returned here on Monday evening.  
Rev. Father Reuben of Kankakee, Ill., preached at the post hall last Sunday evening. He was accompanied by the choir of his church, which rendered several beautiful songs.

Colonel Thomas left on Monday evening for Chicago to resume the inspection and purchase of horses for the government. Twenty recruits for the Eleventh Cavalry arrived on Monday morning from New York. These bring the total number of recruits here nearly up to the authorized strength of the regiment. Major Bennett was a visitor in St. Paul from Saturday to Monday of last week.  
Lieutenant Cox has given up his rooms in Clayton hall and is "bacheling" with Lieutenant Davis in quarters No. 5.  
Bishop James Davis of the Catholic diocese of Davenport accompanied by the Rev. Father Reuben of Kankakee were the guests of Captain Waring on Tuesday. Troop A, Eleventh Cavalry, entertained the visitors with a drill and exhibitions of rough and fancy riding.

The usual Wednesday evening entertainment, under the direction of our chaplain, was given at the post hall last night. It consisted of sleight-of-hand tricks and singing by men of the garrison, accompanied by the volunteer string orchestra, which now numbers eleven pieces.

THE PEOPLE'S STORE  
LEADERS OF HOMEWORK  
1614 & FARNAM STREETS, OMAHA.  
THE PEOPLE'S FURNITURE AND CARPET CO.

PRINCESS DRESSERS—(Similar to cut)—Golden finish, size of base is 28 inches, and a full swell design, the mirror is French bevel plate, the size is 18x20. The price we ask for this popular and up-to-date dresser is one-third less than the regular market value. Special \$11.50  
\$10.00 CASH—\$2.00 PER MONTH.

Refrigerators  
Sole agents for the renowned Gurney line. Have seven wall of mineral wool filling, adjustable shelves, take-out ice chambers and many other valuable features not found in other refrigerators. For the week we offer a \$10.00 refrigerator at \$6.50.

FOUR BILLS ARE RETURNED  
Indictments Brought by Grand Jury that is Investigating Beef Trust Case.

Only two or three witnesses were examined and the grand jury met Saturday morning in the Beef trust matter. They were commission salesmen from South Omaha. Most of the time of the jury was occupied in the examination into one or two potatoe cases, one of them being for the misappropriation of a money order that fell into the hands of a party other than to whom it was lawfully addressed.

Bas is the party who solicited consignments of goods to fictitious addresses here in Omaha last fall and then disposed of the goods. He was finally traced to Cincinnati, where he was arrested and bound over to the grand jury for the Nebraska federal district court.

CUSTOMER GETS THE MONEY  
Stranger Beats Cuming Street Grocer Out of Twelve Dollars in Cash.

Myers Brothers, who conduct a grocery store and meat market at 2211 Cuming street, are lamenting the loss of \$12, which got away from them as the result of misplaced confidence. A well dressed stranger entered their store at 1:45 p. m. Friday and ordered a bill of goods, representing himself as the purchasing agent for the Missouri Pacific dining car system. The bill which the stranger ordered consisted of meats and various kinds of other dining car necessities, the man telling the proprietor that he would return shortly and settle for the bill. However, before he had left the store he told the clerk that he was short of money and displayed a checkbook with several check stubs left. He said he needed the \$12 to do some other purchasing and would get it and return immediately and settle the bill. The accommodating grocer gave the man the money which he asked for, and that is the last that has been seen of the alleged dining car purchasing agent. The proprietors of the store have notified the police and have given a good description of the man, and it is hoped he will be found before he succeeds in landing another victim.

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