

COUNCIL BLUFFS

BROWN SECURES INJUNCTION

Supreme Court to Hear the Ditch Cases
Latter Part of Month.

SICKNESS DELAYS THE BELL TRIAL

Judges Fix Dates of Court and Where
They Will Preside in This District During the Coming Year.

Notices were served yesterday on County Attorney J. J. Hess, County Auditor W. C. Chayne and the members of the Board of Supervisors that Judge Deemer of the supreme court had granted at the request of R. A. Brown & Co. of Washington, Ind., an order restraining the supervisors of Harrison and Pottawattamie counties from taking any further steps towards entering into the contracts recently awarded the Western Dredging Company and Pollard, Goff & Co. for the construction of the proposed joint drainage ditches until the last Tuesday in October, when a hearing will be held before the entire supreme bench at Des Moines.

The boards of the two counties are scheduled to meet in adjourned joint session in this city today, but in face of Judge Deemer's restraining order no action can now be taken in the matter of the contracts. A further adjournment, it is expected, will be taken to some date subsequent to the hearing at Des Moines.

County Attorney Hess, in speaking of the matter yesterday, said that the securing of an injunction by Brown & Co. would not delay matters materially, provided a final hearing on the case could be held before the supreme court this year, but that it would in the event of the injunction suit not being reached by the supreme court until next spring or summer. Mr. Hess, however, expressed the opinion that it was doubtful if the supreme court would grant Brown & Co. a supersedeas without a heavy bond, as had been the case in the injunction suit in the Harrison-Monona county ditch. Whether Brown & Co. would be prepared to furnish a bond, which Mr. Hess estimated ought to be in an amount of from \$100,000 to \$200,000, he was unable to say. In any case, Mr. Hess said, the present injunction proceedings would delay matters sufficiently to prevent any chance of the contractors commencing work this year.

Sickness Delays Bell Trial.

In the district court yesterday the trial of H. B. Bell, the young man indicted on two counts in connection with the theft of tickets from the depot of the Rock Island railroad in this city, which was assigned for yesterday, was continued until next term at the request of the defendant. Young Bell's mother is seriously ill at her home in Hamburg, and the continuance was agreed to by the county attorney on the condition that Bell at the next term would enter a plea of guilty and not put the state to the expense of a trial. Young Bell has already confessed to the theft and is out on bonds furnished by his mother and relatives in Hamburg.

DOYLE ASKS FOR A NEW TRIAL

A question raised whether motion is sufficient.
A motion and application for a new trial in the Doyle-Burns mining suit was filed yesterday in the district court by Doyle's legal attorneys. The document, covering as it does a large number of closely typewritten sheets, is a most voluminous affair and contains besides several lengthy affidavits, photographic copies of stock certificates No. 1,000 of the Portland Gold Mining Company and of certain certificates of deposit which are alleged to represent dividends on the 2,000 shares represented by the stock certificate, all of which form the basis for a considerable part of the motion.

With the filing of this application for a new trial arises the question as to whether Doyle can secure a new trial by filing a motion or whether it is not necessary for him to file a petition. Attorneys for Burns contend that he must file a petition, in which event he would have to secure service on Burns in this state before he could get a petition for a new trial before the court. Congressman Walter L. Smith, one of Burns' counsel, appeared in court yesterday afternoon when the motion was filed by Doyle's attorneys as a "friend of the court" and suggested the necessity under the Iowa statute that any application for a new trial must, under the circumstances, be not in the form of a motion, but a petition.

This is the second motion for a new trial which has been filed since the trial of the case last spring, when the jury returned a verdict in favor of the defendant, James F. Burns, and Doyle's attorney requested Judge Macy to set a date for a hearing on it and to prescribe what kind of a notice should be given the other side. Judge Macy declined to act in the matter himself and set Monday, October 20, for the hearing, which will be held before Judge Thornell, before whom the suit was tried last spring.

The motion and application for a new trial is based upon the claim of newly discovered evidence and alleged fraud on the part of counsel for the defense.
The charge of alleged fraud relates to the story of W. B. Fisher of this city being employed by counsel for the defense during the last trial to circulate defamatory reports concerning Doyle in connection with his serving on the staff of Governor Packer during the Colorado labor troubles.

Cancer Cured
WITH SOOTHING, BALMY OILS

MR. M. VANT, CRETCH, NED.
Says of Our Mild Method of Curing Cancer: "You have performed one of the most miraculous cures in my case. Ever heard of it?"
No need of cutting off a woman's breast or a man's cheek or nose, in a vain attempt to cure cancer. No use applying burning plasters to the flesh and torturing those already weak from suffering. Thousands of persons successfully treated. This wonderful Mild Method is also a never failing cure for Tumors, Catarrhs, Ulcers, Piles, Fistulas and all skin and blood diseases. Write today for free illustrated book.

DR. BYE, 903 B Broadway, KANSAS CITY MO.

AFFAIRS AT SOUTH OMAHA

City Council Passes Ordinance to Refund General Indebtedness Bonds.

REGISTRARS OF ELECTION FOR THE YEAR

Board for Each Precinct Named by Council and Members Expected to Qualify Without Delay.

Last night the city council met in adjourned session with two members, Kiet and Dvorak absent. An ordinance was passed refunding an issue of \$100,000 general indebtedness bonds. This issue is now drawing 6 per cent interest but will be refunded on November 1 and thereafter draw interest at the rate of 4 1/2 per cent. Bids for these bonds will be received by the council at the meeting to be held on October 20. A notice to bond buyers is now being published in The Bee.

The following registration board was appointed to serve for one year:
First Ward—First precinct, G. W. Howe, William Hufschy, J. J. Green, Second precinct, J. B. Smith, Jerry Fitzgerald, E. E. Darling.

Second Ward—First precinct, Charles C. Carlin, J. L. Baria, John Strangier, Second precinct, Burton Rice, J. M. Tobias, John Zaloudek.
Third Ward—First precinct, A. McGuire, M. J. Callahan, J. E. Hanson, George Byrnes.

Fourth Ward—First precinct, P. A. Burke, S. A. Ferguson, J. J. Hiesing, Second precinct, J. L. Sanford, Thomas Irwin, William Murphy.
Fifth Ward—First precinct, John Elliott, Thomas O'Connor, R. B. Williams, Second precinct, Thomas Broderick, Frank Marquette, Peter Lenah.

Sixth Ward—First precinct, William Billings, Thomas Geary, D. J. Campbell, Second precinct, A. DeLaney, Frank Durr, Walter Harder.
These registrars will be notified at once by the city clerk and will report to Mayor Koutsky and qualify. The first day of registration is on Thursday of this week. The mayor was empowered to fill any vacancies on the registration board. Registration booths will be open from 8 a.m. until 5 p.m.

Ed. Munshaw & Co., lumber dealers, asked permission to have the Berquist spur at the L street viaduct extended 180 feet north as far as to cross the lumber yard.

The fencing of the Union Pacific tracks has shut out this company from trackage. The permission asked for was granted.
Notice was served on the council that Swan Johnson and Anna Kelly would take an appeal from the council in the matter of personal damage claims pending and would start suit at once.

A lengthy communication from the Highland Park Improvement club regarding sidewalks was read and placed on file.
Ordinances were passed directing the laying of permanent sidewalks on the north side of Washington street from Eighteenth street to Railroad avenue, on both sides of Sixteenth street from I to Missouri avenue and on both sides of Thirty-third street from H to I street.

City Attorney Lambert reported adversely on the claim of Edmond H. Rice for \$400 damages to her property at Nineteenth and N streets on account of a washout. The council asked for the report.

Paving Bonds Signed.
Monday afternoon the \$20,000 Twenty-fourth street paving bonds and the \$20,000 intersection paving bonds were signed by Mayor Koutsky and City Clerk Gillin. As soon as the securities were signed the package was turned over to Frank J. Moriarty, cashier of the Packers' National Bank. Today the bonds will be shipped east for collection. It is thought that by the end of the week the money will be received from W. J. Hayes & Son, the purchasers, and placed to the credit of City Treasurer Howe at the Packers' bank. With the money to pay for the paving of Twenty-fourth street in sight, there can be no reason for delay in the paving of the street.
Johnson & Parks, announced a week ago that they were ready to start the tearing up of the old asphalt pavement, but up to last night a start had not been made. The season is getting so late now that it seems hardly probable that one side of the street can be paved this year, as was the intention.

City officials are well pleased with the haste made by the purchasers of the bonds in having the histories examined by the bond attorneys. On September 11 bids for these bonds were opened by the council. The first award was made to a Cincinnati firm on an error and special meetings of the council had to be held to correct the error. It was after the middle of September before the buyers received the histories, so the haste made by the purchasers of the bonds is appreciated. On September 11 bids for these bonds were opened by the council. The first award was made to a Cincinnati firm on an error and special meetings of the council had to be held to correct the error. It was after the middle of September before the buyers received the histories, so the haste made by the purchasers of the bonds is appreciated.

Union Pacific Surveyors.
Surveyors in the employ of the Union Pacific set stakes Monday for the new passenger station to be erected on the triangular piece of ground on Twenty-seventh street between M and N streets. In order to give the railroad company more room a portion of Twenty-seventh street was vacated for depot purposes. Excavating for the Union Pacific freight depot on Railroad avenue south of N street continues. Bad weather has interfered to some extent with this work, but those in charge hope to have the freight depot completed and the passenger station well under way by January 1.

Hotel Changes Hands.
The Ritchhart hotel, Twenty-fifth and L streets, changed hands Monday afternoon. C. C. Ludwig purchased the lease and the furnishings from Mrs. John Ritchhart. Mr. Ludwig assumed charge at supper last evening. Mr. Ritchhart operated the hotel for a number of years and made a financial success of the hotel. It was on account of leaving the city that the lease was sold by Mrs. Ritchhart.

Republican Club Meeting.
The Swedish and Norwegian Republican club will hold a meeting on Wednesday evening at Evans' hall, Twenty-third and N streets. All members of the club are urged to attend this meeting as business of importance is to come up. This club has a large membership and considerable interest is being shown in the campaign.

Maize City Gossip.
John J. Ryan is building a \$500 cottage at Forty-second and R streets.

Jay Williams is in Colorado buying cattle to be shipped to this market.
Joseph Koutsky is reported to be doing nicely at the South Omaha hospital.

George Roberts has been appointed to a position in the city engineer's department.
Miss Sadie Ollis has returned from Lincoln where she spent a couple of days with friends.

About 24,000 head of sheep arrived at the yards Monday. The bulk of the shipments consisted of feeders and lambs.
A large delegation of Old Fellows and Rebekahs will go to Nebraska City today to attend the grand lodge session.

Mrs. John Ritchhart leaves today for Winchester, Va., to join her husband who is located there in the hotel business.
The South Omaha Centenary Literary club will meet in the assembly room of the library building this evening at 8:30 o'clock.

Charles Collins will return to Wyoming today after a visit of a few days with friends and relatives. Mr. Collins is connected with a Burlington surveying party.

Mortality Statistics.
The following births and deaths have been reported to the Board of Health during the forty-eight hours ending at noon Monday:
Births—Charles Bovey, Forty-eight and

Castellar, boy; H. Goldberg, 1117 Davenport, girl; James T. Barrett, 1808 North Twentieth, boy.
Deaths—Vladav Lip, 1838 South Fifteenth, 4 months; Hugh Brown, Council Bluffs, 37; F. J. McGinn, 2861 Creighton avenue, 37; Harold Norman Rose, 207 Cass, 1 month; William J. P. Felt, 207 Cass, 1 month; William Hastings, 1215 Pacific, 60.

CROWD UP IN CUDAHY CASE

Pleas Not Guilty of Robbery and Held on Seven Thousand Dollars Bond.

If Patrick Crowe can get some person or persons to go on his bond to the amount of \$7,000 he can regain his liberty until the case against him for the shooting of Officer Jackson shall be called in the district court within two or three weeks.

Crowe was taken into County Judge Vinson's court Monday afternoon promptly at 2 o'clock by Jailer Jim Roach. He was handcuffed to the jailer until the corridor in front of the county court room was reached. There the curfew was removed and Crowe walked in practically free. He was quite surrounded by deputy sheriffs in a moment, however. Attorney James P. English, Crowe's attorney, walked over and shook hands with the prisoner, then sat down beside him.

When Judge Vinsonhaile called the case on Monday afternoon, the case was called by County Attorney Slabaugh. Mr. English and Crowe stood up. When asked the question, "Are you guilty or not guilty?" Crowe answered in a low voice, "Not guilty."

Then County Attorney Slabaugh asked that the bail in the case charging robbery of \$5,000 from Edward A. Cudahy be fixed at \$10,000. He quoted the Barrett Scott case from Holt county in support of his demand. Mr. English spoke earnestly against the amount named as excessive and out of all reason to the offense charged. Judge Vinsonhaile dwelt with considerable severity on the serious character of the offense charged. He has no knowledge, he said, that Crowe had walked the streets of Omaha without disguise and knew only that a warrant had been unserved for years and that punishment had not been inflicted for a very serious crime committed by some person. He concluded by fixing the amount of bond at \$7,000.

Crowe sat down until the large crowd attracted had melted away and was then taken back to the jail handcuffed to Jailer Roach.

CLARKE ELECTED PRESIDENT

Chosen Head of Ministerial Association—Organization Is Asked to Go Into Politics.

The annual election of the Omaha Ministerial association at Young Men's Christian association rooms Monday morning resulted in the choice of Rev. A. B. C. Clarke of Lowe Avenue Presbyterian church for president, Rev. John Randolph Smith of Trinity Methodist church for vice president, and Rev. Andrew Fenwick of the Central Presbyterian church of South Omaha for secretary-treasurer. An executive committee was chosen to consist of Rev. E. R. Curry of the Calvary Baptist church, Rev. A. J. Polson of the Plymouth Congregational church and Rev. S. D. Douthett of the First Christian church.

Rev. W. H. Reynolds of Castellar Street Presbyterian church read a paper on "Christ in the Psalmist." It was discussed by the association.
E. H. Packard, secretary of the International Christian Institute and of the executive committee of the Good Government league, explained the nature and purpose of the league and he asked the assistance of the ministers in building up its membership. He suggested that each minister enlist the interest of some individual minister in his church and let that man work among the church members for the league. Mr. Packard said the purpose of the league was to select and elect, irrespective of party, the best man available for public office. He explained that last week the executive committee had sent out to the members of the league printed information as to the records of the candidates on all the tickets.

Ballots were enclosed and the members were asked to select the men they wished to endorse for election in November. These will be returned to the executive committee next Monday night and the endorsements of candidates will be made.

SEVEN THOUSAND INTEREST

Over that Much Collected on Daily Bank Balances Turned Into County Treasury by Fink.

A statement drawn from the books of County Treasurer Fink, with regard to interest collected from banks by mortgage county, during the last few years will prove of interest at this time. It indicates the present county treasurer is wide awake to the duties of his office and lets no chance escape to care for the people's end of the business. He transacts, as the principal fiduciary officer of the county.

During the twenty-one months he has held the office of county treasurer, Mr. Fink has turned into the county treasury, the sum of \$7,424.61 from the item of interest collected from banks on daily balances.

From April 1, 1899 to March 1, 1903, the county did not receive one cent of interest on daily balances in the banks. From March 1, 1903, to January 6, 1905, the amount collected in the shape of interest on daily balances was \$7,424.61. Mr. Fink's collections of interest mark the high point reached by the county.

ALL IS QUIET AT MULLEN

Peace Reigns in Hooker County Town and Hamilton Still Abides There.

Deputy United States Marshal J. O. Moore has returned from a trip of three weeks in Thomas, Blaine and Hooker counties, where he has been serving subpoenas on witnesses in the land fencing cases.

Marshal Moore says the country throughout that section looks better this season than for years. Cattle are in the best of condition and wherever farming is carried on there at all abundant crops have been raised.

Is it joy if the household, for without it no happiness can be complete. How sweet the picture of mother and babe, angels smile at and commend the thoughts and aspirations of the mother bending over the cradle. The ordeal through which the expectant mother must pass, however, is so full of danger and suffering that she looks forward to the hour when she shall feel the exquisite thrill of motherhood with indescribable dread and fear.

Every woman should know that the danger, pain and horror of child-birth can be entirely avoided by the use of Mother's Friend, a scientific liniment for external use only, which toughens and renders pliable all the parts, and assists nature in its sublime work. By its aid thousands of women have passed this great crisis in perfect safety and without pain. Sold at \$1.00 per bottle by druggists. Our book of priceless value to all women sent free. Address

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Saves All Wasted With Other Stoves
For Hard Coal, Soft Coal or Lignite

The waste of gas in burning hard coal is shown by opening the magazine cover of an ordinary base burner, when the oxygen supplied fills the entire stove with flaming gas. Cole's Hot Blast stove burns this gas in hard coal which, in ordinary stoves, escapes, on account of their leaky construction, causing great waste and endangering health and life when it escapes into the rooms.

In the ordinary magazine hard coal stove, three-fourths of the coal is partially consumed in the magazine, where it gives off no heat, as it is not in contact with the radiating surface. The one-fourth of the coal in the fire pot must be kept at a white heat combustion to throw the heat into the rooms, thus causing great waste.

Cole's Original Hot Blast

The combustion chamber and the magazine are combined in this stove and the combustion is perfect. The stove is filled to the top of the inside cast iron lining. This large body of hard coal is burned under perfect control by means of the absolutely air-tight construction of the stove giving perfect control over the drafts. The coal is kept at a slow, economical cherry red combustion and as the heat is in direct contact with every square inch of the sensitive steel radiating surface, all the heat is radiated into the room where it is wanted and not blanketed in and sent up the chimney. Hard coal at Cherry Red Combustion burns 45 hours, while at white heat it is consumed in from 2 to 5 hours.

Sold Under a Positive Guarantee

We Guarantee Cole's Original Hot Blast to use less hard coal for heating a given space than any base burner with the same heating surface.

Requires attention only morning and night with hard coal. Warm rooms day and night. No escaping gases to endanger life. The heat wasted up the chimney with other stoves is saved.

Burns Any Fuel—Saves Half

Cole's Hot Blast is not only a perfect hard coal stove, but is generally recognized as the most economical and cleanest soft coal stove made. Soft coal is half gas and a \$1.00 ton of soft coal or a \$2.00 ton of slack is made to do the work of \$9.00 worth of hard coal, as the gas half is utilized as a heat producer. It burns soft coal, hard coal or wood without any change of fixtures.

Scientific Construction

Cole's Original Hot Blast has an absolutely air-tight and gas tight construction throughout, by reason of its numerous patented improvements. The patented Hot Blast draft saves the gas. A patented steel collar connects the elbow draft to the stove body and cannot be made to leak air by action of the fiercest heat. The patented compound hinge on the ash door cannot warp and the door closes air-tight by its own weight. The heavy fire box protects the joints, while other stoves burn out first. The guaranteed smoke-proof feed door prevents smoke, soot or dust from escaping into the room when fuel is put into the stove. Perfect cleanliness, therefore, from soft coal.

CAUTION. Like all original improvements, Cole's Original Hot Blast has many imitations. They are failures, because they do not have the above patented features. The words "Cole's Hot Blast from Chicago" will be found on the feed door of every Cole's Hot Blast. None genuine without it.

ORCHARD & WILHELM CARPET CO., 414-416-418 South 16th St.
MILTON ROGERS & SONS CO., 14th and Farnam St.
E. L. JONES & CO., 2709 Leavenworth St.
C. E. BEAVERS, 424-426 North 24th St., Agent

for South Omaha.
The best dealers in every town generally handle Cole's Original Hot Blast. Write the makers, COLE MFG. COMPANY, 238 South Western Avenue, Chicago, for their valuable booklet on the scientific combustion of fuel, and telling all about Cole's Hot Blast. Mail order purchasers protected by above guarantee.

PAIDOCK-HANDSCHY HARDWARE CO., 41 MAIN St., Agent for Council Bluffs.

Write the makers, COLE MFG. COMPANY, 238 South Western Avenue, Chicago, for their valuable booklet on the scientific combustion of fuel, and telling all about Cole's Hot Blast. Mail order purchasers protected by above guarantee.

raised and the hay lands are especially good.

"The trouble at Mullen growing out of the result upon Attorney Hamilton, one of the witnesses in the cattle fencing cases, has quieted down completely," said he. "District court is now in session and the local authorities are fully able to handle any further disturbances. The trouble grew out of the overabundance of a few cowboys, and while notices were served on Hamilton and others against whom the cowboys were incensed to leave the country in a specified time, no particular attention was paid to the notices."

BIG RUSH FOR ORPHANS' FAIR

Large Force of Men at Work Putting Auditorium in Shape for Show.

At the Auditorium all is bustle and confusion, preparing for the orphan fair, which opens Thursday night. Over 100 men have been at work in the building at one time or another during the day. All the dirt and tankard floor had been removed save a narrow strip at the west end near the door where the force in charge of the removal ceased work for the day. Road Carpenter Englen of the Cudahy packing plant has a force of ten men working till midnight in order to get the various booths installed. Downstairs Gus Bense has a aggregation preparing Dave O'Brien's Midway and John O'Hearn's Kish house, where the original Fantanas will be located.

The executive committee has designated the various nights at the fair as follows: Thursday, opening night; Friday, Grand Army of the Republic, Company F and Turner's night; Saturday, Woodmen of the World, Ancient Order of Hibernians and South Omaha night; Monday, Ancient Order of United Workmen and Bodine night; Tuesday, Elks and Royal Archites night; Wednesday, Eagles and Foresters night; Thursday, Knights of Columbus night; Friday, Royal Arcanum night; Saturday, all Omaha night.

In addition to the lodges hitherto announced, the Knights of Columbus have announced their intention to attend in a body and promise to make their night a hummer.

Fifteen Thousand Freight Cars. PHILADELPHIA, Oct. 16.—The Pennsylvania railroad announced today that it has placed orders for 500 locomotives and will shortly let contracts for the building of 15,000 freight cars. Half of the locomotives will be built by a locomotive company of this city and the other half will be constructed at the Pennsylvania railroad shops at Altoona.

Bank Run Ceases. NEW ORLEANS, Oct. 16.—The run on the Germania Savings bank has entirely ceased. The clearing house made a statement today that they considered the Germania incident entirely closed and the credit of the bank unimpaired.

Don't wait for your ship to come in

If you are looking for a position—
If you want to buy a business—
If you want to sell your business—
If you want to invest in real estate—
If you want to sell real estate.

Look to The Bee Want Ads

Telephone 238.
50,000 Real Circulation.

MOTHER'S FRIEND