

CURRENT NEWS OF IOWA COUNCIL BLUFFS

Office, 10 Pearl St. Tel. 48.

VERDICT FOR ROBERT LITTLE

Man Injured by Collapse of Bridge Awarded \$2,500 Damages.

COUNTY WILL NOT MAKE AN APPEAL

On First Trial Little Was Given \$8,000—New Trial Granted Because Plaintiff's Attorney Went Outside Record.

In the second trial of his personal injury damages suit against Pottawattamie county, Robert Little has been awarded \$2,500. The trial of the suit was completed Saturday before Judge Thornell at Atlantic and the jury returned a sealed verdict shortly after midnight.

Little sued for \$25,000 and at the first trial last month at Atlantic secured a verdict for \$8,000. This verdict, however, was set aside by the court and a new trial ordered because of Little's attorney in his address to the jury went outside the record and made statements which, it was claimed, might have tended to influence the jury.

When informed of the verdict yesterday County Attorney Hess was well satisfied and said he regarded it practically as a victory for the county in that the verdict was \$5,000 lower than the former one. Mr. Hess intimated that the case would not be appealed, so far as the county was concerned.

Little was severely injured by the collapse of a county bridge near Minden over which he was driving a few years ago. His suit was originally thrown out on the grounds that he did not file any claim with the county authorities before bringing the action. The case was taken to the supreme court, which decided in favor of Little and ordered the suit reinstated.

IMPROVEMENT OF INDIAN CREEK

Time for Receiving Bids for the Work Extended to November 20.

The date for receiving bids for the deepening and widening of Indian creek from Sixteenth avenue to Eighth street has been extended from November 20 to December 4. Advertisements calling for bids have been sent by City Clerk Zurmuehlen to a number of the leading contractors' journals. It is estimated that about 100,000 yards of dirt will have to be handled and each bidder will be required to deposit a certified check for \$1,000 as evidence of good faith.

Alderman Maloney, chairman of the city council committee which will have charge of the work, has sent copies of the notice for bids to the head offices of the various railroads expected to contribute the funds to defray the cost of the work, also copies of the agreement between the city and the Northwestern, to which it is desired to have the other railroads subscribe. Some of the railroads have shown an inclination to attach "strings" to their agreements to contribute their proportion of the cost of the work, and the committee is anxious that they enter into agreements similar to that with the Northwestern.

The street railway company has assured Alderman Maloney that it will be perfectly willing to contribute \$200 toward the fund of \$20,000 which it is estimated the work will cost. The work will be done

during the winter months there is practically no water in the creek.

"HOOK" SMITH UNDER ARREST

Man with One Arm Accused of Assaulting Mrs. Smith.

George Smith, better known as "Hook" Smith, because of the iron hook which takes the place of his lost right arm, was arrested late Saturday night for assaulting Hans Clausen, who has lost both legs and manages to get around on two wooden stumps. He also was charged with assaulting his wife from whom he is separated, but this was denied by Mrs. Smith yesterday.

Smith was arrested last September on a charge of malicious destruction of property, but failed to show up for trial, although under \$500 bonds. He had been absent from the city since then until Saturday, when he returned and went to the Clausen place, where his wife and children are staying and trouble ensued.

Smith was under the influence of liquor and his wife declined to allow him to see the children while in that condition. Smith and a companion named Stevens forced their way into the house, it is said, and on Clausen objecting, he was knocked down. Mrs. Smith then started to call the police and it is alleged that Stevens knocked her down.

When Sheriff Canning learned of Smith's arrest yesterday he notified the police that he held a bench warrant for him under an indictment returned by the grand jury on the charge of maliciously destroying certain awnings on Main street.

CLOSING UP OFFICER ESTATE

Proposition Advanced to Sell Interest in Colorado Mining Property.

J. J. Stewart, administrator of the estate of the late Thomas Officer, senior member of the defunct banking firm of Officer & Pusey, has been authorized by Judge Wheeler to notify by publication all creditors, heirs and other persons interested of a hearing to be held in district court November 20 on the application of the administrator to dispose of interest owned by the estate in the Percy-Chester Consolidated Mining company, the property of which is in Eagle county, Colorado. The order of Judge Wheeler was in response to a showing made by Mr. Stewart of the advisability of closing up the affairs of the estate.

The late Thomas Officer held in his name 2.61 shares of the 3,322 shares issued by the company, as well as 862 shares as collateral to secure the payment of money advanced the company and which there is still \$6,546.56 due. The value of the property is problematical, as it has not proven profitable, although leased to several different persons. Offers have been made for the property and Administrator Stewart is of the opinion that some disposition should be made of it and the affairs of the estate wound up as speedily as possible.

Serious Charge Against Colored Man.

Fred Talbot, a colored porter employed at the Ogden hotel, was arrested yesterday morning on a complaint of Landford Harris. Talbot is charged with attempting to force his way into an early hour yesterday into the room occupied by a young white woman employed as chambermaid at the hotel. He started to climb over the transom and was half way through when the girl discovered him. Her cries quickly brought assistance and Talbot fled to his own room, where he looked himself in. When the police went to his room he refused to open the door and the officers had to break it in. So far only a charge of vagrancy has been placed against him at police headquarters.

N. Y. Plumbing Co. Tel. 250. Night, L663.

MINOR MENTION.

Davis sells drugs. Stockwell sells carpets. Plumbing and heating. Kirby & Son. Dr. Woodbury, dentist, 30 Pearl street. Woodring-Schmidt, undertakers, Tel. 909. Lafferty's improved tonic lenses give satisfaction.

Enroll in the Western Iowa College Monday. A good time to begin.

Picture for school and home. Alexander's Art Store, 333 Broadway.

Do it now. Buy your wall paper at Borwick & Hill, Main, Tel. 263.

Fryer Printing Co., 33 Main, Tel. 236. Let us figure on your next order of printing.

Get your upholstering, feathers, mattresses and repairing done at Morgan & Kline's, 19 South Main street.

Eugene Fox, general agent for the El Paso & Northwestern railroad, with headquarters at Los Angeles, Cal., is in the city visiting relatives.

Miss Maud McKesson and Mrs. Kelly left Saturday for California. En route they will visit friends at Hastings, Neb., and other points.

The delinquent tax list which has been county is about the same as in 1904. The tax sale will begin the first Monday in December.

The Burlington freight office on Main street is to be enlarged by an addition twenty feet long at the north end. It will be occupied by the office force, the present quarters being inadequate.

Mrs. Christian Lau, wife of John Lau, died yesterday at Mercy hospital, aged 75 years. Mrs. Lau, whose home was near Mineola, Ia., was brought to the hospital last April suffering with chronic bronchitis. Besides her husband she leaves one daughter and two sons. The remains will be taken to Mineola, where the funeral will be held Wednesday.

The Board of County Supervisors will meet in regular session today. Heretofore the first business meeting was the canvassing of the vote cast at the election for state and county offices. Owing to the adoption of the biennial election amendment there was no election this fall and the board will have no vote to canvass.

The new hotel at Broadway and Eighth street to be erected by the Fred Miller Brewing company for Walter Goodrich, landlord of the Monmouth hotel, will be located at the southwest corner. Plans for the building are now being prepared by the architect, J. H. Schaefer.

Announcement is made that a fifty-room hotel on South Main street is in contemplation.

The Great Western railroad is scheduled to bring into Council Bluffs Tuesday a special freight train of twenty-six cars loaded with agricultural implements consigned to the Pioneer Implement company of this city. The train will make a daylight run from Des Moines, Ia., with stop Monday night at Fort Dodge and is scheduled to arrive in Council Bluffs 4 o'clock Tuesday afternoon.

TWO MEN ARE BURNED TO DEATH

Russian Prisoner Sets Fire to City Jail at Lake City, Ia.

SIoux CITY, Ia., Nov. 12.—A special to the Journal from Lake City, Ia., says: George W. Buttrick and William Jackson were burned to death this afternoon at 2 o'clock in the city jail by a fire started by Buttrick. These, with J. I. Hipple and Isaac Allen were arrested at 1:30 o'clock for carousing on the streets. Soon after being lodged in jail a cry of fire was raised and a smoke was seen issuing from the cell occupied by Buttrick and Jackson. Marshal Miles arrived in time to open the door and rescue Hipple and Allen, but the other two were dead when the officer reached their cell. Before the discovery of the cause of the fire Allen yelled that Buttrick was trying to fire the jail, but thought it a joke.

Buttrick had not been known as a criminal. He leaves a wife and five children. Jackson had served in jail before.

MANY PROPOSED NEW LAWS

Iowa Session Will Be Busy During Coming Session.

GOVERNOR WILL RECOMMEND PRIMARY ELECTION AND ANTI-PASS MEASURES

Changes in School Statutes.

(From a Staff Correspondent.)

DES MOINES, Nov. 12.—(Special.)—Something like twenty-five important measures are in sight now for the coming session of the general assembly, which will convene January 9.

Most of the measures are of the utmost importance of far-reaching consequence. It is probable that the greatest discussion and attention will be attracted to the primary election law and anti-pass law, both of which the governor has declared his intention to recommend to the legislature and for both of which he has been making addresses over the state all summer.

The governor expects that the anti-pass law will pass with little opposition, if any, and the primary election law he expects to see passed, though he anticipates opposition on the part of the railroads.

There will be two or three bills upon school matters. There will be a bill recommended by the legislative committee on the matter of a board of control for state educational institutions recommending a large unsalaried board, and there will be a substitute bill offered for a small large salaried board. There will be a bill abolishing county teachers' certificates and providing for state certificates entirely.

There will be a pure food bill recommended by a committee of the State Agricultural society and having the backing of former Governor Packard and State Dairy Commissioner H. R. Wright. There will be a child labor bill asked by the State Labor federation and having the endorsement of State Labor Commissioner H. R. Wright.

There will be a bill to make the State Humane society a department of the state government, with an annual appropriation. There will be two bills up with the approval of the secretary of state. One will be an amendment to the corporation laws, and the secretary of state greater authority in investigating and enforcing corporations to file their articles of incorporation in the state, and the other amending the law as to abandoned river and lake beds. A bill to give the railroad commission greater authority in the matter of enforcing a joint rate is being talked of. State Auditor B. F. Carroll will recommend some changes in the insurance laws. The bankers of the state will have a bill recommending that all banks of the state, whether state or private, excepting only the national banks and including all concerns that receive deposits, be required to submit regularly to examination from the state auditor's department.

The bankers of the state at their last convention asked for a uniform weekly loaf of bread. Certain reformers of this city propose a law to prevent white people intermarrying with negroes. The railroads will have a bill prohibiting trespassing on their right-of-way. Representative E. W. Weeks will have a bill to prohibit C. O. D. liquor business. State Treasurer Gilbreath wants a bill amending the collateral inheritance tax so as to divide the tax between the counties and the state. The State Board of Health will have some bills restricting marriage and amending the vital statistics laws. The State Teachers' club will have up its bill as usual, and the Equal Suffragists will have a bill introduced.

Since in addition to the legislative matters that will come before the general assembly at the coming session the political campaign of next year is expected to open during the session, it is confidently expected that the session will be one of the most interesting in many years.

WHERE LAW IS SILENT.

A new point of judicial procedure is to be submitted to the supreme court in the divorce case of Edna Hamilton against W. Hamilton, from Washington county.

Hamilton was served with a notice of suit March 22, 1905, and was instructed then to appear for a hearing on the matter of temporary alimony and show what property he had. He appeared but merely to object to the suit without legal length of time, claiming that he had till the tenth of next month to appear. The law says if ten days intervene between the date of notice of suit and that first of the term, then the case can be called for the next term. Hamilton was given only three days to appear on the question of alimony and claims he should have had as much time as on the suit for divorce. The case was decided against him and he appealed before the divorce case was heard.

Lumber Dealers vs. Log Thieves.

A case of log stealing from Clayton county is to appear in the supreme court. Some of the lawyers in the suit hold that people have stolen logs for so many years on the Mississippi river that it has become a constitutional right and they think it an imposition to arrest a man for being caught with forty logs in his possession.

The case is the State against George Loomis, and in the district court Loomis won. The state is now appealing to find out whether log pirating is a legitimate profession. Loomis is defending his case in the supreme court with able attorneys.

His attorney holds that "log thieves" have themselves been stealing logs from one another along the upper Mississippi for many years," and claims that they have employed men to patrol the river and pick up stray logs which they sell to the first lumberman they get to regardless of whose logs they are. This they claim is what Loomis was doing when he was arrested with forty logs in his possession. He was a log pirate and they claim custom has made the profession an honorable one.

Soldiers Own Their Homes.

Statistics prepared for the census volume show that there are 12,880 old soldiers in the state of Iowa out of a total of 25,500, who own their own homes free of encumbrance. The value of such homes is \$15,562,478. There are 4,661 soldiers who own homes valued at \$21,281,906, on which there is an encumbrance of \$8,512,469. There are 7,466 who own no homes, 438 who never married and 856 who failed to report to the enumerators the value of their property.

Of the total number of old soldiers in the state at this time 10,488 enlisted from this state in Iowa regiments and 15,081 were in regiments of other states. Divided as to ages the greater number of the old soldiers of the state now are 62 years old. There are 2,190 of these. Of those 55 years or under there are 268, and of those 60 years or over there are thirty-six. Beginning with those of 62 years old the ages are as follows:

Table with 4 columns: Ages, In Iowa, From Other States, Grand Total. Rows for ages 62, 63, 64, 65, 66.

Ased Woman Asphyxiated.

SIoux CITY, Ia., Nov. 12.—Mrs. Margaret O'Connor, mother of the Rev. Father P. J. O'Connor, a prominent Catholic priest, died from asphyxiation at her home here early today. She had occasion to light the gas in her room during the night and

FLAMES ROAR IN CATCH BASIN

Strange and Unpleasant Happening Sunday at Thirtieth and Burt.

LEAKING GAS MAIN C USE OF EXCITEMENT

Loitering Boys Discover the Accumulation of Gas in Catch Basin and Throw a Lighted Match, Causing an Explosion.

A faulty gas main at the intersection of Thirtieth and Burt streets afforded a lively sensation in that neighborhood Sunday afternoon through the escaping gas finding lodgment in a catch basin. A boy of boys, drawn thither by the odor of the escaping gas, decided upon the experiment of finding out whether the gas would burn. The experiment proved an astonishing success. A lighted match dropped through the grating of the catch basin caused an explosion, but fortunately without injury to the venturesome boys, who, thinking they had set fire to the whole interior of that part of the earth, simply disappeared.

The flames shot up through the grating for a while, but finally subsided to a roar that could be heard two or more blocks. The attempt to extinguish the blazing gas by ordinary means was futile, and the gas company was notified and sent out a party of men to remedy the trouble if possible. Their efforts above ground to extinguish the flames were futile, and all that was left for them to do was to dig down to the supply main across the street and shut off the gas entirely. This was not accomplished until late Sunday night. People living in that immediate vicinity will be deprived the use of gas until the damage is completely repaired and the gas circulation restored.

YELLOW FEVER IN HAVANA

Disease Carried to Cuba by Mosquitoes Shipped with Electrical Supplies from New Orleans.

HAVANA, Nov. 12.—The case of H. V. Chilver, the New Orleans electrician who was taken to the Las Animas fever hospital Saturday, was diagnosed as yellow fever. The Spaniard isolated in the Clerks' hospital died there today.

There are now two cases of fever at the Las Animas hospital, and two suspects. The slight development of the so-called secondary cases has encouraged the belief of the yellow fever experts that there will not be much of a spread of the infection.

It has developed that the opening of a number of new cases of electric apparatus from New Orleans, which were consigned to a firm in the Payot theater, liberated many mosquitoes. The first person to be attacked by yellow fever was a member of an opera company playing at the Payot theater and subsequently the disease attacked an electrician employed in the same building.

FORECAST OF THE WEATHER

Fair Today and Tomorrow in Nebraska, Iowa, South Dakota, Kansas and Missouri.

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And the fine weather and good times awaiting you there are all clear gain—in happiness, health and a store of strength for future years.

The Rock Island offers more lines of through tourist cars between the East and California than any other road.

Two routes—Southern and Scenic. Two daily through trains via the former—the lowest altitude route across the continent.

If interested let me send you our illustrated literature—of great value in formulating plans.

Our Tourist folder, and California Trains book with literature about the Golden State, free for the asking.

F. P. RUTHERFORD, D. P. A. 1323 Farnam St., Omaha, Neb.

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OF COURSE

You feel sore when your shoes do not give good service. Sometimes shoes wear out in the soles other times they go all to pieces from top to toe. For ourselves we will say—a customer seldom brings a complaint about our shoes. When they do, we make it right. Why not trade here?

Fine shoes for dress, comfort and every day. All leathers—the season's latest styles. Our price is down to rock bottom.

Fine repairing a specialty.

DUNCAN SHOE CO.

23 MAIN STREET

Something Doing!

On Christmas eve we will give a beautiful combination toilet and manicure set, mahogany wood finish, sterling silver mountings, containing fifteen (15) separate pieces, to the patron leaving the largest amount in tickets from our cash register. These tickets are also worth 5 per cent of their face value. In trade, at our stores so you see it will pay you to concentrate your drug business. Coming out promptly to us for everything you need for drugs, patent medicines, family liquors for medicinal use, toilet articles, perfume, stationery, candles, hot or cold soda, rubber goods, mail extracts (every kind), and all rubbers, and remember we sell not only as cheap but also on the dollar less than any Omaha drug store. Did you get any cut rate in any Council Bluffs drug store until we opened our cut price store here? No! Then who will have your business?

L. T. WATERS, Proprietor.

CUT PRICE SCHAEFER'S DRUG STORES

FREE DELIVERY. Cor. 16th and Chicago, Omaha; 24th and N. St., Omaha; 14th Ave. and Main St., Council Bluffs.

SCAVENGER WORK.

I haul dead animals, \$1.00 per head. Garbage, ashes, manure and all rubbish; clean vaults and cesspools. All work done is guaranteed.

Calls promptly attended to. Phone, Ash-1022.

J. H. SHERLOCK.

GEM FAMILY THEATER

Winchester & Smith, Proprietors. 25 Pearl St., Council Bluffs.

MODERN VAUDEVILLE. Matinee every afternoon at 2:30. Evening two performances, commencing at 8:30 and 9:30. Sundays, three performances, commencing at 8, 9 and 10. Admission 10 cents.

LEWIS CUTLER MORTICIAN

28 Pearl St. Phone, Reg. 63, Office 97. Lady attendants if desired.

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