

Council Bluffs

ALLEGEDLY CRUISED IS ON

Local Lawyer Starts Prosecutions Against Drug Men.

ACCUSED OF CONDUCTING BARS

Five Local Merchants Said to Be Dispensing Liquors Without conforming to Laws Covering this Business.

Paul Aylesworth, who recently started a crusade against a number of the drug stores in this city, yesterday filed his petitions in the district court asking injunctions, alleging the illegal sale of liquor.

In five of these petitions, Aylesworth charges the defendants with conducting bars, or so-called soda water restaurants, with not conforming to the 1907 clock closing law, non-payment of the \$5000 excise tax, and with not complying with other provisions of the liquor laws.

The Clark Drug company, of which James A. Clark is named as proprietor and Elmer H. Deostrie and John G. Wadsworth are named as owners of the building, which is located at 22 West Broadway, Knott Drug company, W. L. Kearney as owner of the building, Opera House pharmacy, Roland E. Fricker, proprietor, W. A. Murray and J. E. Keatinge owners of the building, 226 Broadway, P. W. Wesner drug store, 209 South Main street, Nathan Morrison owner of the building, S. E. Whaley drug store, 218 West Broadway, J. B. Hood owner of the building.

The remaining ten petitions in which the violation of the liquor law as applying to drug stores is alleged, are against the following firms and reputed owners of the buildings:

Corn Exhibit Will Be Added to Fruit Show

National Horticultural Congress Decides on Addition and Names New Committees.

At the meeting of the National Horticultural congress last evening President J. P. Hesse announced the appointment of committees to take charge of this year's fruit exposition.

The meeting decided to add a corn exhibit this year provided the Auditorium company is willing to provide the extra space that would be needed. The directors of the congress will meet Friday with the directors of the Auditorium company and discuss the matter.

Major Richmond Leaves Office

Charles W. Crum, Deputy City Marshal, Becomes Acting Chief of Council Bluffs.

At 8 o'clock last evening, following the order of Judge Woodruff's order of removal on him through his attorneys, Major George H. Richmond turned over the office of chief of police of Council Bluffs to Charles W. Crum, deputy city marshal. Mr. Crum, as deputy city marshal, was the next ranking officer in the police department to Major Richmond and his appointment as acting chief was signed by Mayor Maloney of the Bluffs yesterday morning.

We Give Away Absolutely Free of Cost

The People's Common Sense Medical Adviser, in Plain English, or Medicine Simplified, by R. V. Pierce, M. D., Chief Consulting Physician to the Invalids' Hotel and Surgical Institute at Buffalo, a book of 1008 large pages and over 700 illustrations, of strong paper covers, to any sending 21 one-cent stamps to cover cost of mailing sets, or in French Cloth binding for 31 stamps.

DR. PIERCE'S FAVORITE PRESCRIPTION THE ONE REMEDY for women's peculiar ailments good enough that its makers are not afraid to print on its outside wrapper its every ingredient. No Secrets—No Deception.

Chinese Prince Says His People Want Education

Tsai Tao Addresses Asiatic Association, Paying High Tribute to American Schools.

NEW YORK, May 4.—Although he is head of the general staff of the Chinese army and his mission is to procure data and information to improve its military forces, it was as the promoter of peace that Prince Tsai Tao was welcomed tonight at the twelfth annual dinner of the American Asiatic Union. The prince's reply was in similar vein.

"It is an encouraging sign of the times," he said, "that Americans are taking so much interest in what is going on in China. We also wish to know more about other countries. Our officials and merchants are beginning to travel more and more to foreign lands in search of information and opportunities. China is now passing through a great crisis in its history, the older order of things is fast giving place to the new. What we need most now is men—men able to do the work that has to be done.

"Though we have established schools and colleges in all parts of the empire as fast as we can, it will be some decades before we can hope to have such schools and colleges as you have. Still we have made a beginning. In the meantime, we mean to send a steady stream of students to your country.

Sweet Disposition Wins Big Fortune

Kind Treatment of Rich Uncle Brings Estate Worth \$40,000 to Texas Woman.

CHICAGO, May 4.—A sweet disposition and her kindly treatment of her uncle, Benjamin D. Magruder, former justice of the Illinois supreme court, who died April 21, won a fortune for Miss Elizabeth Magruder of San Antonio, Tex. She is named sole heir and executrix of the \$40,000 estate of the late jurist in his will filed here today.

WOMAN'S QUARREL OVER DOG MAY END IN MURDER

Miss Gibbard of Laura, Colo., Shoots Brother of D. B. Armstrong on Her Ranch.

SIDNEY, Neb., May 4.—Special Telegram.—What may turn out to be a murder took place yesterday at the farm of D. B. Armstrong, who recently settled on a homestead nine miles west of Laura, Colo., and just over the Nebraska line about fifteen miles from Sidney, Armstrong, who is about 50 years of age, came from eastern Nebraska and took up a Nebraska government claim. Miss Gibbard, an unmarried woman, took an adjoining piece of land and her house and Armstrong's were only about 100 yards apart.

Armstrong's brother entered a contest against the land of Miss Gibbard on the ground that she had not complied with the law and this has not yet been settled. She claimed Armstrong's dog was killing her chickens and yesterday laid in wait for the animal and killed it. Armstrong came out of his house and remonstrated with her, she lifted her 22-caliber Winchester repeating rifle to her shoulder and shot at him five times. One bullet took effect in the apex of the right lung, breaking the collarbone, passing through in the direction of the spinal column. Miss Gibbard immediately drove to Pritz, Colo., where she took a passenger train on the Burlington and left, presumably for Sterling, the county seat, to surrender to the sheriff of Logan county.

J. M. Graham of this city, who is attending Armstrong, says his condition is precarious. Miss Gibbard has borne a good reputation in the neighborhood and is looked upon as a quiet and unassuming woman. It is thought there may be some other matters connected with the case which may develop at the trial.

JOHNSON COUNTY DEMOCRATS HEAR MR. BRYAN SPEAK

Governor and R. L. Metcalfe Also on Toastmasters' List at Dinner.

TECUMSEH, Neb., May 4.—Special Telegram.—W. J. Bryan, Governor A. C. Shallenberger and Richard L. Metcalfe were three of the speakers at the first annual dinner of the democracy of Johnson county, held here tonight at Smith's theater.

Mr. Bryan talked briefly on the initiative and referendum. Governor Shallenberger discoursed on "Nebraska," and Mr. Metcalfe on "Democracy's Opportunity."

Judge W. H. Kelligar of Auburn discussed "The Judiciary in Politics." Edgar Howard of Columbus was on the program, but did not appear.

The dinner was attended by 200 men. Rev. Thomas Barden of St. Andrew's gave the invocation. The toastmaster was Dr. A. P. Fitzsimmons, county chairman.

CHANGES IN RAILROAD BILL

Section to Legalize Traffic Agreement Stricken from Measure.

SECTION TWELVE ALSO GOES OUT

Provision Authorizing Purchase of Stocks of Competing Lines Meets Even Quicker Death—Comment by Dolliver.

WASHINGTON, May 4.—The dismantling of the railroad bill proceeded in both houses yesterday.

Section 12, the traffic agreement provision, was eliminated by both senate and house; the senate struck out also section 12, which would have permitted any railroad owning 50 per cent of another road, to absorb it altogether. The section prohibiting a railroad from charging a higher rate for a short than for a long haul was adopted by the house in the form reported by the committee on interstate commerce, but with an additional provision for an investigation and report to congress by the Interstate Commerce commission of the facts relative to the long and short haul question.

There is no section corresponding to this in the bill as it is pending in the senate, but an amendment offered by Senator Heyburn today to modify the existing law to similar effect precipitated an extended debate which was still in progress when the senate adjourned.

Strictly speaking, each house today was boring holes in a separate bill—the senate in the senate bill introduced by Senator Elkins; the house in the bill introduced by Representative Townsend, but the bills at the outset were identical, though they were made different in various respects by the committees which reported them. Each version of the bill has yet to be passed in its own house and will have to undergo the tender mercies of the other. Whether either will ever emerge from the final stage of joint conferences is a thing nobody is now prepared to prophesy.

Traffic Section Killed.

Never since it was reported to the senate nine weeks ago has it moved along with such celerity as today. The program outlined at yesterday's conference of republican leaders was carried out and extended. In rapid succession the Cummins' and the Crawford-Elkins' amendments to the traffic agreement provision were withdrawn and the entire traffic and merger provisions stricken out.

Immediately after the bill was taken up in the senate, Mr. Elkins, in charge of the bill, proposed to lay on the table the Cummins' amendment, requiring the approval of all agreements by the Interstate Commerce commission in advance of their taking effect. But Mr. Cummins saved the trouble of taking a vote by voluntarily taking his amendment out of the running. The democrats had agreed to vote against the Cummins' provision in consideration of the adoption of the Clay amendment striking out the entire section.

Mr. Elkins explained that the majority of the Interstate Commerce commission was willing to permit the section to go out because of the apprehension felt by some that it would affect repealing the anti-trust law so far as it applied to railroads. He expressed his purpose of supporting the Clay amendment, but explained that in order to get it before the senate, it was necessary for him to effect the purpose by moving to lay the Cummins' amendment on the table.

Cummins' Amendment Off.

Mr. Cummins then announced the withdrawal of his amendment. He expressed his conviction that if adopted the provision would be beneficial to the public, and said he would re-offer it in connection with a section to be taken up by the Crawford-Elkins' amendment. He declared himself to be much gratified over the prospect of the elimination of the entire traffic agreement section.

The motion to lay on the table was promptly withdrawn by Mr. Elkins, who followed it with a motion to withdraw the Crawford-Elkins' substitute. The last action was acquiesced in by Mr. Crawford, but not without protest. The contention that the Crawford amendment would constitute a compliance with the platform was challenged by Senator Clapp, who said the purpose of that declaration had been to assure against monopoly, which he said the Crawford amendment would not accomplish.

The Clay amendment, striking out the agreement provision, then was presented, but was not acted upon immediately.

Senator Stone said he did not concur in the invitation recently extended by Mr. Rafter to the "insurgents" to come into the democratic fold. He thought they would do more good where they were.

The Clay amendment was then accepted without division, and this action was followed immediately by the adoption of a motion by Senator Nye, striking out, without division, section 12, which covered the questions of mergers.

Mr. Heyburn then precipitated the debate of the day by presenting an amendment prohibiting a greater charge for short than for long hauls. He spoke at length in support of his amendment, presenting many instances of alleged discrimination. Many of his statements were challenged by Senator Aldrich, and a controversy ensued, in which several senators participated.

Cases of Injustice.

Admitting that apparently there were some cases of injustice, Mr. Aldrich said the trouble was to find a remedy, by declaring that many cities, such as St. Paul, Kansas City and Denver had been built up by the railroads. He asked Mr. Heyburn whether he advocated their annihilation in the interest, for instance, of some unknown place in Idaho. He declared that Mr. Heyburn's contentions carried to their legitimate result would convert the great central part of the country into a barren waste.

"That is the old siren song," responded Mr. Heyburn. He would not admit its applicability and declared that, if the terminal charges of the railroads were fair and remunerative, there could be no injustice in charging the same price for a short haul.

The Heyburn amendment was still under consideration when the senate adjourned. Voting was begun on amendments to the long and short haul section after two hours' debate upon it in the house.

By fifty-five to 138, an amendment by Mr. Hardy of Texas to strike out the provision permitting the Interstate Commerce commission to permit the making of low rates in view of water competition was agreed to. An amendment by Mr. Wadsworth to strike out the entire section relating to the long and short haul clause, leaving the law in that respect unchanged, also was defeated, forty-eight to 172.

Long and Short Hauls.

provision authorizing traffic agreements by railroads was then taken up.

Mr. Townsend of Michigan offered an amendment providing that in case any such agreement should result in higher rates than previously charged, the Interstate Commerce commission should approve the rates before they became effective. Mr. Martin of South Dakota offered a substitute providing that the rates made by traffic agreements should be approved by the commission before being effective in all instances. Mr. Mann of Illinois, in charge of the measure, opposed both of them. He declared the traffic agreement clause as reported contained all the safeguards for the supervision of rates by the commission that were proposed in the amendments. Both political parties, he declared, had approved this proposition for traffic agreements. By a vote of 43 to 59 Mr. Martin's substitute was agreed to.

Mr. Madden of Illinois offered an amendment to strike out the entire traffic agreement section. By a vote of 130 to 33 the amendment was agreed to, many regular republicans voting with the democrats. A number of insurgents voting against the Madden proposition.

Indicted Man Gives Self Up After Two Years

A. K. Detweiler Surrenders to Face Bribery Charge Brought Two Years Ago.

SAN FRANCISCO, May 4.—After being lost to sight since March 22, 1907, when he was indicted on thirteen counts on charges of bribing the supervisors of the Reuf-Schmitz regime. A. K. Detweiler of Toledo, O., former vice president of the Home Telephone company of this state, surrendered late today.

Detweiler surrendered to Superior Judge Lawler, who immediately released him on bonds of \$100,000. In a statement Detweiler said he had been traveling in Europe for his health the greater part of the time since the indictments were returned and that he had returned the moment his physicians told him he could undergo trial without endangering his life. He declared his return was voluntary and free. He will be arraigned May 5.

When the Reuf-Schmitz Board of Supervisors advertised the sale of a franchise for a competing telephone system in 1906, Detweiler came here from his home in Toledo and successfully bid for the privilege.

In March, 1907, the grand jury returned thirteen true bills charging him with bribing members of the Board of Supervisors to act favorably on the bid submitted by his company.

Clemens' Estate Goes to Daughter

Property of Mark Twain Will End Entirely to Pianist's Wife—Exact Value Not Stated.

REDDING, Conn., May 4.—The will of Samuel C. Clemens (Mark Twain), filed for probate here today, leaves the entire estate to the surviving daughter, Clara Langhorn Clemens, wife of Ossip Gebrilowitch. The amount of the estate is not given.

The will was drawn August 17, 1909, and provided that the estate should be divided into two equal parts, the income to be apportioned to the two daughters quarterly. It was provided that in case one daughter died the estate should go to the surviving daughter. Miss Jean Clemens, the second daughter, died last Christmas time.

The home, Stormfield, is valued at \$100,000, and there is thought to be about \$100,000 on deposit in banks. Estimate has been made of the literary assets, but they will be gone over by the trustees of the will later.

The will says that his daughter and his biographer, Mr. Paine, know his desires as to his literary assets and directs that the trustees be guided by them in their disposal.

ARMY INSTRUCTION CAMP ORDERED AT FORT RILEY

Fourth Infantry from Fort Crook Will Take Part in Military Maneuvers.

JUNCTION CITY, Kan., May 4.—Orders were received from the War department today announcing that a camp of instruction will be established on the Fort Riley military reservation from August 15 continuing into September, 1910.

The following companies of the regular army will take part in the maneuvers at this post: Headquarters and ten troops, Seventh cavalry; headquarters and six batteries, Sixth field artillery; headquarters and twelve companies, Thirteenth infantry, from Fort Leavenworth; headquarters and seven companies, Fourth infantry, from Fort Crook, Neb.; three companies, Fourth infantry, from Fort Logan, H. Root, Ark.; headquarters and third battalion, Engineers' corps, from Fort Leavenworth; Company I, Signal corps, from Fort D. A. Russell, Wyo.; one-half Company A, Hospital corps, from Fort D. A. Russell, Wyo.

HEARST WINS LEGAL VICTORY

Is Freed from Paying Damages to Persons Hurt in Fireworks Celebration.

NEW YORK, May 4.—William H. Hearst won a legal victory over the city of New York in the supreme court today when Justice Greenbaum dismissed a last case to compel Hearst to pay damages obtained against the municipality for deaths and injuries of persons in the explosion of fireworks near Madison Square Garden in 1902, when Hearst was celebrating his election to congress.

A jury had been sworn in when counsel for Hearst made a motion to dismiss, and Justice Greenbaum granted it, holding in brief that Hearst had the necessary permit and the city had no right to take such a risk.

Judgments aggregating \$427,000 have already been obtained against the city and there are many suits yet to be tried. The total damages asked for are nearly \$2,000,000.

KILLS EDITOR AND HIMSELF

Miller HIGH LIFE BEER The Champagne of Bottled BEER. IT has a peculiarly delicious flavor found in no other beer. It's because we grow our own yeast, malt our barley in the old and reliable way and age our beer properly. HIGH LIFE BEER is always uniform in quality and purity. We always make it the same way. It always has the same rich and pleasing flavor. Brewed by MILLER BREWING CO. Milwaukee, Wis. ORDER A CASE TODAY. Distributors: JESSEN LIQUOR CO., 1020 Broadway, Council Bluffs, Iowa. Phones: Both 705.

'Time's Flight Turned Backward' SAGE AND SULPHUR Made Her Look Twenty Years Younger READ MRS. HERRICK'S SWORN STATEMENT. STATE OF NEW YORK } COUNTY OF MONROE } ROCHESTER, N. Y. Nancy A. Herrick, being duly sworn, deposes and says: When I was a girl, I had a head of heavy, long, dark brown hair which was the envy of my schoolmates, and which attracted the attention and remarks of strangers. As I grew older, my hair commenced to come out, just a little at first, but gradually more and more, and then began to turn gray. I was induced by the many good reports I had heard of Wyeth's Sage and Sulphur Hair Remedy to try a bottle. My hair was quite thin and gray when I began using Sage and Sulphur, and you can imagine my satisfaction when I found that it was fast coming back to its natural condition, being thicker, darker and more glossy than it had been for a long time. I continued to use Sage and Sulphur, and my hair is now as heavy, dark and smooth as when I was a girl of sixteen. It is now four years since I commenced using Sage and Sulphur, and my hair is still in splendid condition. Sworn to before me this 4th day of July, 1910. [Signatures] W. H. Bland, Notary Public. Preserve Your Youth and Beauty by Using WYETH'S SAGE AND SULPHUR HAIR REMEDY. It is Pure, Safe And Reliable. It is Not Sticky, Oily Or Greasy. It is An Elegant, Refreshing Dressing. It Makes The Hair Soft And Glossy. It Quickly Removes Dandruff. It Restores Faded And Gray Hair To Natural Color. It Stops Hair Falling And Makes The Hair Grow. It Will Make You Look Years Younger. PRICE 50c. and \$1 A BOTTLE AT ALL DRUGGISTS. If Your Druggist Does Not Keep It, Send Us The Price in Stamps, And We Will Send You A Large Bottle, Express Prepaid. WYETH CHEMICAL COMPANY 74 Cortlandt St. NEW YORK, N. Y. FOR SALE AND RECOMMENDED BY SHERMAN & MCCONNELL DRUG CO. AND OWL DRUG CO. YANKTON UNDER NEW ORDER. Joseph Frick drew the four-year term as commissioner and was selected as head of the water works and sewerage department. C. B. Franer for the three-year term and will be commissioner of the fire department and police. August Goets will serve two years and be commissioner of streets and public property. F. S. Vaughan drew the one-year term and will be commissioner of finance and revenue. The commission appointed the following officers, there being few changes from the old council force: George H. Durand, trustee Carnegie library; Board of Educa-