

POWER COMPANY HITS BACK HARD

Charges That Mills-Ellsworth Do Not Own Any Land Which Will Be Overflowed by the Dam Being Built.

DEMANDS TITLE PROOF

Answer to the Injunction Suit Filed in Springfield Gives Many Reasons Why Manufacturing Company Loses.

[Special to The Gate City.] SPRINGFIELD, Ill., Dec. 30.—That the Mississippi River Power Company is not satisfied to remain defendant in the suit against it of the Mills-Ellsworth company, but is fighting to the extent of putting the Mills-Ellsworth Company on the defensive, is indicated by the answer filed by the dam company in the United States court here this afternoon.

The company building the big dam at Keokuk denies in the pleading filed that the Mills-Ellsworth company is the owner of the land described in their complaint, and says part of it is owned in fee by the city of Keokuk and the rest by the power company itself—and hence that Mills-Ellsworth have no harm accruing to them by the building of the power plant in the Mississippi river.

There is set out a suit said to be pending now in the state court at Keokuk by which the city claims that it owns the site of the factory and asks for a decree quieting the fee title in the municipality.

Says They Own no Land Flooded. It is also stated in the answer that the power company is the owner of the railroad strip and the wagon road strip called the Third street road; that the power company acquired the former from the Burlington railroad by a conveyance satisfactory to both of them; and that the wagon road was conveyed to the power company by the city of Keokuk by a special ordinance in 1909.

The purport of this part of the answer is, that Mills-Ellsworth do not own any real estate which will be flooded, and hence have no rights whatever in court with such a claim. It is said that the burden of proof of title is on Mills-Ellsworth, in this phase of the case.

Finally, the water power company pleads that it has long had offices and officers in Keokuk where the controversy lies, and hence the courts, state or federal, of Illinois have no jurisdiction, for which reason this suit should be thrown out of court. Also, that this chancery court lacks right to hear the case, because there is an adequate remedy at law for Mills-Ellsworth.

Overflow Caused by Government. But ahead of these legal defenses, there are pages and pages of averments going to the vitals of the matter. The answer is a long one and gives numerous and divers reasons, each being held sufficient, why Mills-Ellsworth have no chance to win the suit.

An important part claims that the property described will not be flooded by the dam proper at all—but that it will be overflowed by the operation of gates the power company was compelled to place there to raise the water level higher than it desired for its power purposes, by command of the United States, in order to improve navigation.

It is recited that the work at Keokuk is a great conservation of a national resource, which improves navigation in the great artery of commerce to a great extent. And that the United States is engaged in making deep water navigation in the Mississippi which has cost millions in the lower river, while above Keokuk for many miles the deep water navigation is produced by the big dam at the best of the national government.

Federal Government Acts. Hence, the United States, acting in the interests of navigation and interstate commerce, had a perfect right to make the law of 1906, taking the right to condemn land above the dam, but the power company carefully insists that it also has the right to condemn under the Iowa law. After reciting the building of large lock, drydock and means of operating them which go to the United States free of charge, the answer says the gates and dam are being built under the supervision of the United States and will be operated under the supervision on its army engineer officers—hence the dam has all the rights the federal government chooses to give it, which are ample.

Several other answers were filed in smaller cases of Illinois farmers below the flood line, but there is nothing new or peculiar in these others.

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Disappears in Five Minutes After Taking a Stuart's Dyspepsia Tablet.

A Trial Package Sent Free on Request.

All of the unpleasant sensations attendant upon eating too heartily are instantly relieved by a Stuart's Dyspepsia Tablet. Like sticking a pin into a rubber balloon. The reason is simple and easy to understand.



Inflation of the Stomach Undigested Food Quickly Relieved by a Stuart's Dyspepsia Tablet.

When you take food into a stomach that is tired and over-taxed the gastric juices do not form fast enough to digest it properly. So the food becomes sour and at once begins to throw off gases. Your stomach becomes inflated just as surely as if you attached a toy balloon to a gas jet. Then the gases and foul odors issue forth and pollute your breath making you an object of nausea to your friends. Your tongue quickly becomes coated and you can taste the foulness that is within you.

Now all this condition is changed almost instantly by a Stuart's Dyspepsia Tablet. This little digester gets busy at once—supplies all the digestive juices that were lacking—digests the food in a jiffy and opens up the clogged stomach and bowels. It also sweetens and refreshes the mucous lining of the stomach and bowels and restores peace and content.

If you will give Stuart's Dyspepsia Tablets a chance they will not only sweeten your stomach but also your disposition and you will never have another stomach ailment.

One grain of a single ingredient in Stuart's Dyspepsia Tablets will digest 3,000 grains of food. This saves your stomach and gives it the rest it needs. All muscles require occasional rest if they are ever over-taxed. The stomach is no exception to this rule.

Try a box of Stuart's Dyspepsia Tablets and you will wonder how you ever got along without them. They are sold at 50 cents by all druggists everywhere. A trial package will be sent free on request to F. A. Stuart Co., 150 Stuart Bldg., Marshall, Mich.

ADVERTISED LETTERS.

List of letters remaining in the Keokuk postoffice, uncalled for, for week ending December 30, 1911:

- Ladies. Mrs. Minnie Black, Mrs. Otto From, Ruby Foster, Miss Mamie L. Hopkins, Miss Minnie Huntley, Miss Gladys Knight, Miss Sarah F. Pickens, Mrs. Dora Thorn (2)
- Gentlemen. Jean Bedozian, Everett Bruner, Joe Clark, C. H. La Flamboy, A. G. McCooid, J. C. McNeal, H. H. Miller, Harry B. Samuels, Southern Iowa Coal Co., L. E. Waldron

Persons calling for letters in above list will please say they are advertised. S. W. MOOREHEAD, Postmaster.

BORN IN KEOKUK ON CHRISTMAS DAY

Word Has Been Received of the Death of Mrs. Alice Kempton at Salt Lake City.

Mrs. Alice Kempton, born and reared in Keokuk and a sister of Mrs. Henry Kesselring and Charles Foreman of this city, died on Saturday morning at the home of her son, Dr. James Smith in Salt Lake City, Utah, according to word received by relatives here yesterday.

Death was due to cancer and came after an illness of two years duration. The deceased had a number of acquaintances in Keokuk where she was born 57 years ago on last Christmas and whose early life was spent in this city. Her husband died four years ago. Besides the sister and brother in Keokuk who survive, there is also a sister, Mrs. J. J. Travers of Los Angeles, and the son, at whose home she passed away.

The New Year's program at Dodge's theatre is a most interesting one. There will be matinee performance and an entire change at night. The Pathe's weekly events pictures will hold your attention from start to finish. This is a big feature at Dodge's popular and old reliable amusement place. At the matinee the features will be "The Burglar's Fee," "Her Humble Ministry" and "The Bully of Bingo Gulch." At the evening perform-

FIRST WRITER ON WATER-POWER

The Founder of the Nauvoo Independent Started to Boost the Big Water-Power Here Forty Years Ago.

PREMIER IN THE PRESS

Now Secluded in the Wilds of New Jersey, But Retains His Love for the Mississippi and Courts the Muse.

The dean of the writers of the greatest water-power in the world here at Keokuk has been discovered in the seclusion of New Jersey. He is W. P. Kremer, the founder of the Nauvoo Independent, who wrote the first article on the Des Moines rapids water-power ever published, about forty years ago.

Mr. Kremer is now a book publisher in Rutherford, N. J., and is trying to keep posted on the progress of the construction of the greatest dam in the world here in the Mississippi, which he still loves and yearns for, as witness the following verses he has written:

Along the Mississippi River, I was reared along the Mississippi River, Where its water was deep and wide And I sported in the virgin forests That lined its bank on either side. On the stately trees within these forests, The eagles built their massive nest, And in the hollows of the elms The raccoon would take his winter rest.

I have sipped water from the crystal lakes, That form the stream or fountain head, And quenched my thirst a thousand miles below With the muddy water from the river bed, I have stood beside the river at St. Anthony And heard the rushing waters' unceasing roar And watched it gently gliding at its mouth Where it sets out from the ocean shore.

I have floated along its many tributaries, Lined with the hemlock and the pine, And sheltered in the massive southern groves Of fragrant magnolias and trailing madeline And I floated down this mighty inland stream, When the war-cloud rose in the south, And dispersed the forces from its banks Until the water flowed peacefully to its mouth.

And the sun shown down in brightness, On prairies covered with fairest flowers, And the breezes wafted enchanting fragrance From the forests and shady bowers And as I look backward on my childhood, No brighter spot on earth I know, Than the pathless forests along the river As I saw them more than sixty years ago.

The comrades of my youth and boyhood, Have been scattered far and wide, Some sought honor on the battle field And fell fighting by my side, But the mighty river still is flowing, Gently on its winding way to the sea, And I love the Mississippi's rushing water, As the brightest spot in my memory.

—W. P. Kremer.

NEW STRENGTH FOR BAD BACKS

Keokuk Residents Are Learning How to Exchange the Old Back for a Stronger One.

Does your back ache, feel weak and painful? Do you suffer headaches, languor and depression? Is the urine discolored, passages irregular?

The kidneys are calling for help. Sick kidneys cannot do their work. Give them the help they need. Backache is generally kidney ache. To cure it you must cure the kidneys. Use a tested and proven kidney remedy. Doan's Kidney Pills have stood the test. A remedy especially for kidney ailments. Convincing proof in Keokuk endorsement: Mrs. M. E. Clark, 502 South Fifth street, Keokuk, Iowa, says: "I feel justified in giving Doan's Kidney Pills my endorsement. This remedy has been used in my family, being procured at Wilkinson & Co.'s Drug Store, and it has brought relief from pain and lameness in the back and trouble from the kidney secretions."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States. Remember the name—Doan's—and take no other.

Dodge's Theatre.

Here We Are As Others See Us

Omaha, Dec. 24, 1911. Dear Sirs: I want to congratulate you on your progressive, constructive, and up-to-date advertising. You have done more to "resurrect" the sleeping advertisers than any others. Such advertisements awaken them to a "forward movement" and "got-to-get-it" at Lutz & Stahl's. I wish you a prosperous and Happy New Year. Yours, A FRIEND

LUTZ & STAHL

Printers and Binders

We appreciate the patronage accorded us the past year which is now ceasing and we at this time wish to thank all our patrons and wish all a Happy and Prosperous New Year. For your next Suit or Overcoat give us a call.

Lindsey Tailoring Co.

20 N. 5th St., Keokuk

NEW YEAR'S ENTERTAINMENT MONDAY NIGHT

Spent New Year's Night at the Y. M. C. A. The boys' department of the local Young Men's Christian Association have planned a most novel and unique entertainment for Monday night, Jan. 1 at 8 o'clock. The boys have been working faithfully in order to give the people the best program of its kind possible on this occasion. They will make you laugh and gasp as the comical and stupendous feats follow one another. The boys always please, and they say that they are to hold their reputation Monday night. The program will include fancy marching, callisthenic drills, gymnastic feats, tumbling, a series of stunts by the funny clowns, and the cleverest of all, "a hobble skirt basket ball game." Don't fail to see it. Encourage the boys in their work by your presence Monday night. We are sure they will appreciate your attendance.

Opportunity for Keokuk. It is some years since Keokuk music lovers have had the opportunity of hearing a boy vocalist. The coming of two of Chicago's leading boy solo choristers is therefore looked forward to with interest by all who care for music of the better sort. The many words of praise the young soloists have received through the country is evidence that wherever they have sung their sweet pure voices have stirred the heart emotions of the hearers. The Asbury Heights (Colorado) Daily says: "Master Stuart Laist sings with splendid good taste and his voice is one of most sympathetic quality. His songs gave sincere pleasure throughout the evening, and the Duquesne Times-Journal comments: When Master Wolf's bird-like voice commences to be heard one wonders at the skill and beauty of it all. His flute-like tones and fine interpretations made all his solos most enjoyable. These boys are to be heard at the concert and organ recital of Mr. Norton Thursday evening in the Congregational church."

AGED WOMAN DIED HERE SATURDAY

Mrs. Bertha Kaldenberg Had Lived in This City For Nearly Half a Century.

Mrs. Bertha Kaldenberg, aged eighty-one years, died at her home, 310 South First street shortly after two o'clock Saturday afternoon. Her death was the result of old age. For nearly fifty years she had resided in Keokuk.

The surviving relatives are, daughters: Mrs. A. E. Follett of Hannibal, Mo., Mrs. G. A. DeKoning of Quincy, Ill., Mrs. R. Evans and Lida of Keokuk and a son David of Keokuk.

Cured in His Home Town COUNCIL BLUFFS, Ia. Patrick Danahan, 414 N. 8th St. tells the way for his fellow townsmen to be cured of kidney and bladder ailments as he himself was cured. "For about a year I suffered from kidney trouble and at last rheumatism set in. I heard of Foley Kidney Pills and began taking them and after a short time the pains all left my back, my rheumatism got better and I feel I am entirely cured

Eye Symptoms

Do you have headaches? Do your Eyes water? Do they ache? Does print run together? Do things become dim or swim? Are your Eyes inflamed? Do your Eyes tire after reading a while? Does a bright light pain them?

MANY PEOPLE

have Eye defects of which they are unconscious, and while they suffer no inconvenience or pain now, they should wear Glasses for the sake of their future Eyesight.

W. M. Pinkley

Registered Optometrist and Eye Sight Specialist. 600 Main, upstairs. Keokuk

Pretty Pictures

Make a very pleasing Xmas Gift. Make your selection early. Frames of Every Description. Made to order.

Foulkes & Sons

Cor. Fourth and Blondeau sts.

CHICHESTER'S PILLS

THE DIAMOND BRAND. Ladies! Ask your Druggist for Chichester's Diamond Brand Pills. They are the best medicine for all ailments. They are sold everywhere.

REST AND HEALTH TO MOTHER AND CHILD.

How to cure constipation, stop backache, sour stomach, torpid liver, indigestion and dyspepsia. Get the best drug and get a 50-cent or \$1.00 bottle of Dr. Caldwell's Syrup Pepsin.

PROFESSIONAL CARDS

PHYSICIANS.
DR. W. P. SHERLOCK, PHYSICIAN AND SURGEON. Office, 13 North Fifth street, Howell building. Office hours—10 to 12 a. m.; 2 to 5 p. m.; evenings, 7 to 8; Sundays, 11 to 1 p. m.
W. J. HARTFF, M. D., D. O. Osteopathic and Electric treatment a specialty. Office, 30 North Fourth street, ground floor. Hours—10 to 12 a. m.; 2 to 5 p. m. Evenings by appointment. Phone—Om. Iowa 1254-Red; residence, Iowa 870-Red.
DR. W. FRANK BROWN, SURGERY and GENTLE-URINARY DISEASES. Office—402 Main street. Hours—10:30 to 11:30; 2:30 to 4:00; 7:45 to 8:15. NURSING HOME, 818 North Fifth street, opens Dec. 11. Hours at Home—1 to 2 p. m., 6:30 to 7:30 p. m.

DR. G. J. CHRESTENSEN, OSTEOPATHIC PHYSICIAN. Y. M. C. A. Building. Office hours—9 to 12 a. m.; 2 to 5 p. m. Residence, Iowa phone 1111; rings. Office, Iowa phone 1111; ring; Residence 320 North Eighth St.
DR. H. B. WESCOTT, DENTIST. Office over Younker's store, corner Fifth and Main streets. Bell phone 676-Blue; Hub. phone 14

DR. BRUCE GILFILLAN, PHYSICIAN AND SURGEON. Office, 521 1/2 Main street, over Crooks & Cox Millinery store. Bell Phone 190 Black. Residence 317 North Fourth street. Bell Phone 1280 Red. Hours: 10-12 a. m.; 2-4 p. m.; 14 p. m. Sunday by appointment.

DR. J. FATON JOHNSTON, PHYSICIAN AND SURGEON. The only physician practicing Orthopedy in the county. The Smithsboro: a: truss fitted and guaranteed, the only truss that holds. Office, North side of Main street, third door above Fifth. Phone 93. Residence, Ninth and Webster. Phone 484. J. O. Lock Box 11, Warsaw, Ill.

DR. F. L. DEWEES, Homeopathic Physician and Surgeon. Office, 616 Main St. Hours: 10-12 a. m.; 2-5 p. m.; evenings, 7 to 8. Tel. Bell, 1366.

DR. C. E. RUTH, PHYSICIAN AND SURGEON. Hours: 11 to 12 a. m. and 2 to 5 p. m. No. 407 Equitable Building, DES MOINES, IOWA.

DR. O. W. ROWE, Assistant State Veterinarian. 218 Blondeau street, Keokuk, Iowa. Iowa phone 294-Red; Hub. phone 1331.

O'HARRA, O'HARRA, WOOD AND WALKER, ATTORNEYS AT LAW. Corner of 5th and Main Streets Keokuk Iowa. Personal Office, Apollo's O'Harra, Clifton J. O'Harra, Earl W. Wood, Henry S. Walker. Keokuk Hamilton Carthage

CONTRACTORS AND BUILDERS. John W. Young, Builder, Superintendent and contractor for all kinds of construction. Also general repair work. Prompt and careful attention given to plans and estimates. Your patronage solicited. Office 606 Blondeau Iowa p. one, office 2143; residence, 3242.

I. S. ACKLEY, UNDERTAKING AND EMBALMING. 1007 Blondeau Street. Iowa Phone, 456-M. Home 3433

E. E. HAWKES, UNDERTAKER AND LICENSED EMBALMER. 729 Main. Both Phones. Red Cross Ambulance.

THE Keeley Cure, Des Moines Iowa. CURES LIQUOR, DRUG AND TOBACCO HABITS. Write NOW for Our Free Booklet. 704 WEST FOURTH ST.

REST AND HEALTH TO MOTHER AND CHILD. How to cure constipation, stop backache, sour stomach, torpid liver, indigestion and dyspepsia. Get the best drug and get a 50-cent or \$1.00 bottle of Dr. Caldwell's Syrup Pepsin.

Ask Your Doctor

You may cough tomorrow! Better be prepared for it when it comes. Ask your doctor about keeping Ayer's Cherry Pectoral in the house. Then when the hard cold or cough first appears you have a doctor's medicine at hand. Your doctor's approval of its use will certainly set all doubt at rest. Do as he says.

C. Ayer & Co., Lowell, Mass.