

TO BE SUBMITTED TO A VOTE.

City Ownership of the Electric Light Plant to Be Voted Upon.

ALDERMAN AUBERTIN THE ONLY OBJECTOR.

The New Contract Submitted by the Light Company Criticized by Alderman Street—Would Tie the City Up for Seven Years If Adopted—Paving Proposition Rejected.

The regular meeting of the city council was called to order with all members of the board of aldermen present.

As soon as the meeting was opened by the mayor City Secretary Warner read an invitation to the mayor and city council from the German day committee asking them to attend the German day celebration next Sunday.

A communication from Susan R. Pliguet, asking whether or not the water works company has a right to charge water rent on vacant premises was referred to the city attorney.

Petition of Mrs. M. George, requesting that she be withdrawn against her collection of taxes for 1894, she having paid them for that year on the wrong property, was referred to the board of appraisement with power to act.

A communication was read from the Florence Crittenton League home calling attention to the filthy condition of Elgin street between Fannin and Caroline, stating that it seemed to be a general dumping ground for garbage and dead animals, and further that the attention of the city health officer had been called to it.

Alderman Adair moved that it be referred to the city health officer. This provoked considerable discussion, Aldermen Heiser and Matthews contending that it was improper to refer such matters to the health officer. Alderman Matthews' motion to refer it to the mayor and hospital committee carried.

Petition of Mrs. E. A. Westcott, citing error in assessment for 1896 on lot 4 block 1, Chapman's first addition, was referred to the board of appraisement with power to act.

Petition of James Wynne for lowering of assessment was referred to the finance committee, likewise the petition of Morgan & Kachman for correction of assessment.

Petition of Henrietta Law was referred to the street and bridge committee.

At this juncture the attention of several of the members to what was going on having become somewhat lax, Mayor Rice said: "I would like to have the members of this council pay attention to the proceedings of these meetings. We are here to represent the interests of the citizens of Houston, and every member of the council should feel enough interest in the welfare of his constituents to pay strict attention to every question that comes before us."

The secretary then read the following communication from the Gilsonite Roofing and Paving company: To the Honorable Mayor and Board of Aldermen of the City of Houston, Texas, October 4, 1897. We respectfully submit the following proposition: We will on the second section of work in the Fifth ward lay an asphalt pavement on a four-inch foundation, according to specifications heretofore called for, at a total cost of \$27,750.75, and guarantee the same for five years. This is \$2174.25 lower than the recommended brick proposition. It would make a continuous pavement and give an opportunity of testing the two different asphalt. Yours respectfully, David Hoag, Agent Gilsonite Roofing and Paving Company.

Per C. H. Freeman. This communication was ruled out of order by the mayor on the ground that bids for this work have been made and accepted.

Reports of the city engineer and city marshal were referred to the proper committees.

A report was then read from the light committee on the proposition of the Citizens' Electric Light and Power company, recommending that the proposition of the company be accepted and that the mayor be authorized to make a new contract with the light company under the terms proposed, and calling attention to the reduction in price and to the further fact that the price of lights to private consumers are to be reduced, etc.

Alderman Street said that before any action was taken in the matter he would like to hear from the city attorney.

Thereupon a report from the city attorney was read, saying that there was little difference between new contract and the one now in force. He said that the present contract is not binding upon the city because the city does not bind itself to take any certain number of lights, and that the mere using of one light by the city would fulfill the terms of the contract now in force. The new contract would eliminate that feature, and it would be necessary to use all lights contracted for. If at any time the city should decide to build a plant of its own it could do so, but that the terms of the new contract would have to be lived up to until its expiration.

Alderman Street then said: "I understand the city attorney to say that this new contract will be more binding than the one now in force. I understand him to say that if we make this contract now the city will be bound to take a certain number of lights from the company during the term of that contract. Now, I can not see why, at this late date, there should be so great an effort made to tie the city up in this manner. Not long ago we had a petition presented before this body asking for five or six hundred tax paying citizens, asking that this matter be referred to the people and that they have the privilege of voting on the question of the city owning its own electric lights. Furthermore, when the city charter was made and sent up to Austin, there was a distinct clause inserted in it for the purpose of taking up this very question of municipal ownership, not only of electric lights, but of the waterworks as well. What was the object of putting that in the charter, if it was not that the people want to own their own lights? It is there, and it speaks for itself, and I believe every member of this council is well acquainted with the wishes of the people."

The report of the city attorney on the petition of W. H. Crank, Sr., and others as to the right of the city to compel property owners to build sidewalks, held that the city could not compel a bond to be paid on an assessment, but that the city had the right to build the sidewalks and make such improvements as were deemed necessary. The report was adopted.

A motion by Alderman Bennett that the city engineer be authorized to draw plans and specifications to construct an arch bridge over White Oak bayou was carried. The meeting then adjourned.

A QUESTION OF OWNERSHIP.

A Temporary Restraining Order Issued by Judge Wilson Yesterday.

An injunction suit was yesterday filed in the Fifty-fifth civil district court by Lorenzo W. Allen against Mattie Watson, praying that the latter be restrained from selling lots 3, 6, 7 and one-half of lot 2, in block 86, south side of Buffalo bayou, and lots 1 and 2, in G. Trout town addition.

The petition sets out the facts that a judgment by default was obtained in Justice Fitz's court by Mattie Watson, the defendant, against Lorenzo Allen in a suit styled Mattie Watson vs. Lorenzo Allen, for \$182 and \$17.30 costs on March 9, 1897; that an execution was issued on said judgment September 6, and the above mentioned lots levied upon; that the plaintiff, Lorenzo W. Allen, is the sole owner of said lots, and that Lorenzo Allen has no interest whatever in them.

Judge Wilson, after a hearing from the plaintiff issued a temporary restraining order, restraining the defendant from selling the property until such time as the case could be heard on its merits, and instructed the defendant to be duly served with notice.

HITTEN BY A DOG.

The Animal Died and is Supposed to Have Been Mad.

The little 10-year-old boy of Mrs. C. G. Ellis, living in the Fifth ward, was bitten Sunday morning by a dog, which had hydrophobia symptoms, but Dr. Brumby, who dressed the wounds, is inclined to believe that the animal was only poisoned.

The little boy was bitten quite severely on the right calf and hip, but the wounds were cauterized and soothing remedies applied, and the little fellow is now resting easily.

Diligent search for a mad-dog has been instituted, but up to a late hour last night none had been found.

The dog died yesterday afternoon at 1 o'clock.

CITY BREVITIES.

Miss Essie Barnett of the Harrisburg road is confined to her room with dentige fever.

Mother Yates will speak to the ladies of Houston at the Crittenton mission at 5 p. m. today.

There will be preaching tonight in the Methodist church at Hinesburg by the pastor, Rev. C. A. Hooper.

Peter Bravand and Mrs. Sarah Rottenstein were united in marriage by Justice C. B. Fitz yesterday evening about 6 o'clock.

Manager Bergman of the Sweeney & Coombs opera house will have Charles V. "Dew's" Auction" here for Saturday, matinee and night.

Owing to a failure in getting a quorum last Friday, the McKee Street League held its monthly business meeting at 7:30 o'clock yesterday.

There are undelivered telegrams at the Western Union telegraph office, 117 Main street for Miss Minnie Adams, P. Sisselholz, G. M. Kohn, McDaniel's (photographer).

The funeral of the 3-year-old child of Professor and Mrs. I. P. Valentine of the Fairview addition took place yesterday morning at 10 o'clock, interment being in the Magnolia cemetery.

Mr. John L. Kopf returned from Sabine Pass last night, where he embarked the body of one of the Marine hospital service, who died there Sunday from influenza received in falling through the hatchway of a vessel he was inspecting. The body was shipped to Wintonboro, N. C., where the father of the deceased resides.

There was considerable excitement near Main street and McKinney avenue yesterday evening, occasioned by an encounter between two boys, the father of one of whom held the other and had his son held in a vice, inflicting bloody injuries on the head. No arrests have been made as yet.

PERSONAL MENTION.

A. D. Baxter of Waco is in the city.

Miss Lucy S. Mills has returned from a business visit to Alvin.

Mr. G. W. Cunningham of Victoria is registered at the Llewellyn.

E. N. Brown has returned from a short business visit to North Texas.

J. R. Hughes and W. L. McElrath of San Antonio are stopping at the Hutchins house.

S. McGovern of Beaumont and A. D. Costa and F. Farnsworth of Cuero are in the city.

Delemed Frank Grice of the San Antonio Express was registered at the Capitol yesterday.

Justice W. B. Hill is laid up with illness and was not able to visit his office yesterday.

Dr. J. L. Abrahams and wife have returned from a month's visit to Washington and the East.

Mrs. W. S. Wall, who has been confined to her room for several days, was able to be up yesterday.

Mrs. J. C. Hill and daughter have returned to their home in Houston after a visit to Dawson, Texas.

Louis Hervey of New Orleans arrived in Houston yesterday from San Antonio. He is on a tour of the State of Texas.

F. Zweifel, a traveling man from Galveston, was enjoying good health and treatment at the Hutchins house yesterday.

Building Permits Issued.

The following building permits were issued at the office of the city engineer yesterday:

The German Evangelical Lutheran church lot 8, block 42, Baker's addition, north side, to cost \$1800.

Lotman Brothers Manufacturing company, addition to shop on lot 2, Runnels street, to cost \$40.

Massidonia Mission, Baptist association, church, Hardcastle addition, lots 5 and 6, block 11, south side of Buffalo bayou, to cost \$200.

John Hoop estate, by Mrs. Hoop, to build fence around lots 2, 3, 9 and 10, block 9, at the corner of Heiser and Robbins, to cost \$75.

Quarantine Guards Bound Over.

Messrs. Harvey and Lynch, guards at the quarantine station at Crosby on the Southern Pacific, were arrested yesterday on warrants issued by Judge Fitz at the instance of Superintendent Mulvey of the Southern Pacific, charging them with placing obstructions on the track. They were represented in court yesterday by next friend and bound over to the grand jury in the sum of \$500 each.

The trouble arose over the alleged refusal of the railroad company to stop their trains at the quarantine station on one or two occasions. It is claimed that the guards placed obstructions on the track to bring the trains to a full stop that its passengers could be examined as to their state of health.

Bookie's Arrested.

The best salve in the world for cuts, bruises, eczema, itching, rheum, fever sores, tetter, chapped skin, chilblains, corns and all skin eruptions, and positively cures piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by George W. Meyer.

OCTOBER TERM OPENED.

Grand Jury Was Impaneled and Sworn to Duty.

JUDGE CAVIN GIVES THEM A TALK.

Petit Jurymen Also Selected—No Health Board for La Porte—A Day in the Courts.

The October term of the criminal district court opened yesterday, Judge Cavin presiding. The grand jury was impaneled and sworn and the members thereof briefly addressed by the court, who said that it was the jury's duty to investigate all violations of the criminal laws. He referred to the statute against the running of places of amusement where lewd women congregate and liquor is sold but inclined to the opinion that the looseness of said statute hinders conviction thereunder. The names of the grand jurymen are as follows:

Henry Brashear, foreman; S. E. Allen, C. Lombardi, Ernest Grossebeck, George Hauss, Reuben Epperson, John B. Guldberg, R. A. Millam, A. G. Howell, Theo. Hillendahl, J. I. Campbell, Henry Brashear, F. Lamotho.

Deputies Jim Winn, Charles Kinchback, Jim Whalen and Fred Erickson were sworn in, and the following twenty-seven petit jurors were empaneled and sworn for the week: John W. Barnett, C. H. Sprung, Henry Mayer, N. M. Norfleet, Louis Koch, Fritz Brandt, J. N. Taub, W. J. Settegast, Jr., A. Brunner, M. Dienstag, Fritz Koch, Charles Mochra, Conrad Bauer, C. L. Berling, Tom Baker, J. B. Bolles, William Fuchs, George Kuhlman, Ernest Schafer, Sol M. Colman, Baltis Allen, J. W. Breidling, A. J. Schureman, Wright Brashear, Sam Taub, John Laitrety, W. H. Sprung.

COUNTY COMMISSIONERS' SESSION.

Can Not Give La Porte a Board of Health—The Quarantines.

The commissioners court met yesterday in special session pursuant to call, the members present being County Judge Shaw, Commissioners Hirsch, McKinney, Eberhardt and Becker.

Upon the verbal request of the mayor of La Porte for a designation of limits for La Porte, and the appointment of a board of health, it was ordered that as the statutory provision for such action by the board applies solely to unincorporated towns, and as La Porte is incorporated, the request be refused, the commissioners court having no authority to act.

County Physician Noark reported to the court that he had raised the county quarantine and discharged all guards, having been in communication with State Health Officer Swearingen, and having received satisfactory assurances that the State is maintaining rigid quarantines against all states infected and that there is no danger. He also conferred with the city board of health, whose opinion was favorable to the action taken.

It was ordered that Dr. Noark, if at any time he deemed it necessary, should re-establish the quarantine and take such immediate steps as in his judgment would be necessary to guard the county.

Fifty-fifth Civil District Court.

Frank Lesmit et al. vs. Gulf, Colorado and Santa Fe Railroad company; dismissed for want of prosecution.

Lorenzo W. Allen vs. Mattie Watson, injunction temporarily restraining order granted restraining defendant from selling lots 3, 6, 7 and one-half of lot 2 in block 86, south side of Buffalo bayou; and lots 1 and 2 in G. Trout town addition.

Jurors for Fifty-fifth district court for the week ending October 9: Jacob Hornberger, W. W. Thomas, Steve Buckley, Louis Schwartz, John Kilenfelder, August Baumbach, C. F. Schmitz, Hal Bates, C. Marshall, James Howe, T. U. Lubbock, Mr. DeChlor, S. A. Oliver, William Thiel, J. J. Kerber, P. J. Newberg, W. H. Melchior, Frank Karcher, Jacob McGee, John P. Sjoland, Chris Casey, Jerry Fields, Jr.

Eleventh Civil District Court. The first day of the October term. The docket was called and cases set down for trial. The appearance docket will be called this morning. The more important orders of the day were as follows:

J. M. Frost vs. Gulf, Colorado and Santa Fe Railway company; settled and dismissed.

Rood & Hannah vs. W. Hamilton; dismissed without prejudice.

H. H. Bruns vs. Emma Pugh et al; dismissed at plaintiff's cost.

James Hirsch vs. R. C. Stuart, judge of this court be disqualified; this case is transferred to the Fifty-fifth district.

W. B. Griffin vs. Galveston and Houston Investment company; stricken from the docket.

B. Tuma vs. August Schaffer; stricken from the docket.

Houston Land and Trust company vs. J. L. Sousa et al; settled and dismissed.

M. S. Webb vs. J. H. Pruet et al; stricken from the docket.

James Wilson vs. Harris county; dismissed for want of prosecution.

J. J. Settegast vs. J. C. White et al; dismissed at plaintiff's cost.

Ferry Clark vs. Western Union Telegraph company; settled and dismissed.

Joe Marwick vs. Southern Cotton Oil company, consolidated, with No. 21,830, Planters and Merchants' National bank vs. Southern Cotton Oil company in Fifty-fifth civil district.

August Kolbow vs. Mary Kolbow et al; dismissed at plaintiff's cost.

T. H. Scanlan vs. A. H. Hitcher et al; Judge of this court being disqualified, cause is transferred to Fifty-fifth district.

J. L. Donaldson vs. Harris county; transferred to Fifty-fifth district.

Hattie Davis vs. M. H. Davis; ordered stricken from docket.

Suits for Civil District Court.

John Smith vs. Fannie Smith; divorce.

Amanda Rawls vs. Charles Rawls; divorce.

Lorenzo W. Allen vs. Mattie Watson; injunction.

Habeas Corpus Cases Passed.

The Frank Golln, W. E. Hoff and Ida May Beeler, Henry Johnson, and Ben Smith, habeas corpus cases, were passed until Tuesday morning, all witnesses in the Golln case being excused until further notice; but it was ordered that all witnesses in the other three cases be in attendance at 8 a. m.

On Account of Holiday our Store will be Closed...

Wednesday, October 6.

...Please arrange to do your shopping before or after that date.

...Levy Bros.

Page Fisher vs. Liverpool, London and Globe Insurance company; on trial.

Probate Court Proceedings.

Estate John Cushing; contest rec'd for October 7, 1897.

Estate William Heise, deceased; heirs having filed receipt in full settlement of all assets of this estate executor and his bondsmen are discharged and estate ordered dropped from the docket.

Estate R. L. Garrison, deceased; S. Westheimer applicant for probate of will filed October 2, 1897.

Justice Fitz's Court.

There were no proceedings in the lower courts yesterday on account of sickness and death of violators and disputes. Justice Fitz, however, reported the following cases for investigation by the grand jury in which the State of Texas is plaintiff:

Ben Whitfield, burglary; Joe Jones, theft; Fhobe Lewis, resisting an officer; John Romades, assault to murder; Jonas H. Carter, theft; Rosa Scott, aggravated assault; Willie Powers, theft; William Dickson, resisting an officer; Jonas Carter, theft; Nelson Wright, swindling; W. Kimmer, murder; H. W. Wesley, criminal libel; W. L. and F. R. Jones, criminal libel; Charles Gray, assault with intent to murder; John Priest, assault with intent to murder; Ben Smith, theft; S. Askenhans, receiving and concealing stolen property; Dave Semans, theft; Henry Fisher, George Polemanakos, aggravated assault; William Johnson, aggravated assault; Wesley Edwards, assault with intent to murder; Charles Jamison, alias Charles Saunders, burglary and theft; E. L. Summers, assault to murder; Henry Fisher, theft.

The following appealed cases were also reported:

Emanuel Grady, assault; Will Sharpe, abusive language; J. B. Peterson, violating Sunday law; George Williams, assault; M. Joseph, disturbing the peace; G. A. Wyland, abusive language; Mity Grant and Edna Jordan, vagrancy; M. W. Franks, assault; Horace Johnson, assault; Annie Davis, keeping disorderly house; L. Gause, failing to pay occupation tax.

Marriage Licenses.

The following marriage licenses were issued yesterday: Wiley Somer with Fannie Floyd. Peter Brayband with Mrs. Sarah Rottenstein.

Real Estate Transfers.

The following transfers of real estate were filed yesterday in the office of Ed P. Dupree, county clerk:

H. P. Ring and wife to Edward Cushing, lot 1 and 33 1-3 by 109 feet, block 329, south side of Buffalo Bayou ..... \$3,000

Fannie P. Minnie H. and Benj. P. Howard, minor heirs of J. P. Howard, to Texas Saving and Real Estate investment association, lot 3, block 9, west end addition, south side of Buffalo Bayou, ..... 450

J. E. Lafferty to Fred Bacquier, 109 acres in James Dowdell's survey, Milton Rhodes to William H. Peard, lot 97 sub-division W. K. Smith survey ..... 200

Miron Rhodes to William H. Peard, lots 30 and 31 W. K. Smith survey, 115

Miron Rhodes to William H. Peard, lot 30 W. K. Smith survey, ..... 100

Miron Rhodes to William H. Peard, lots 37 and 38 W. K. Smith survey, 127

Grant Investment Co. to Rev. Peter J. Sanders, lots 19, 20 and 21, block 1, S. W. Gardens, ..... 1

George L. Porter and J. A. Baker, Jr., to H. C. Mars, southeast 1-4 lot 41 (1 acre) Porter & Baker subdivision ..... 155

J. J. Settegast to Elvige Jackson, 35 acres in Jesse M. Bartlett survey, to Texas Saving and Real Estate investment association, lot 1, block 1, west end addition, east 1-2 of west 1-2 W. M. Jones league ..... 2,214

Partible deed of W. J. Lovett 1580 acres on Clear creek to May J. and Annie E. Porter, J. M. Rommel, C. F. Smith, J. C. Hutcheson and W. G. Sears; 680 acres to Barbara M. Williams and J. N. Ray, 600 acres less 20 acres Gulf, Colorado and Santa Fe railway company ..... 400

W. R. Sinclair to W. A. Tryon, lot 1, block 3, Texas Saving and Real Estate investment company, addition No. 1 ..... 3,765

Day of Attonement Services.

Services for the day of attonement will be held at Hebrew Congregation Beth Israel tonight at 7:30 o'clock and Wednesday morning at 10 o'clock. Memorial services at 11:30 a. m. Lectures by Rabbi G. H. Loewenstein. The public invited.

Prescription No. 5851 put up by Elmer & Amend sold by E. F. Schmidt, Houston, Texas, will relieve those afflicted with rheumatism. Try a bottle.

LAST WEEK—THIS WEEK THIS WEEK—LAST WEEK. Of our great Auction Sale of Books. We have decided to remain here only one more week. Saturday night will be your last chance to buy books at auction. We have just received a lot of new books and they, as well as the balance of stock, must be sold this week regardless of prices, so as to save expense of shipping to next town. Don't forget the number—309 Main street.

Dr. Tebault's yellow fever and dengue preventive supplied by A. E. Kieseling, druggist, 502 Main street. Carefully prepared and in strict accordance with the prescriptions.

AVOID RISKS. Have your clothes laundered by the most improved hygienic method, which insures perfect disinfection. Send them to St. Patrick's Trolley Laundry, 912 Prairie avenue, 'phone 332.

C. Janke & Co., 603 Main street. Upright piano, used only a little time, good as new, cheap for cash.

C. Janke & Co., 603 Main street. Just received a lot of the celebrated "Rice" mandolins, to be sold at hard time prices.

Advertisement for Agate Nickel Steel Ware, entirely free from arsenic and antimony, sold here only.

Advertisement for BERING-CORTES HARDWARE, Prairie Avenue and Milam Street.

Advertisement for Henry Brown & Co., featuring various goods and services.

Advertisement for "HOME RUN" Cigarettes, NOW 20 FOR 5 CENTS.

Advertisement for No Exaggeration, featuring shoes and clothing.

Advertisement for Disinfect Your Premises with Chloro-Naphtholeum.

Advertisement for Krupp & Tuffly, 302 Main Street.

Advertisement for NONE SO BLIND, featuring optical services.

Advertisement for L. Lechenger's New Store, 403 Main Street.

Advertisement for OPTICIAN F. J. TURNER, featuring eye examinations.

Advertisement for L. Lechenger's New Store, featuring various goods.

Advertisement for TO MY PATRONS, featuring clothing and accessories.

Advertisement for OPIUM, featuring various products.

Advertisement for H. & T., featuring various goods.

Advertisement for E. M. BULL, featuring various goods.

Advertisement for AGENT ROYAL CEMENT, featuring various goods.

Advertisement for TO MY PATRONS, featuring clothing and accessories.

Advertisement for OPIUM, featuring various products.

Advertisement for H. & T., featuring various goods.