

# VILLAGE IS UPHELD

### Appellate Court Makes Reversal in Suit Against Milwaukee Railroad.

### IS REMANDED FOR TRIAL

#### Verdicts in Personal Injury Suits Against City Rock Island Approved.

Among the opinions of the appellate court, Second district, rendered yesterday, there were seven cases of local import disposed of as follows:

Village of Hampton vs. Chicago, Milwaukee & St. Paul railroad; judgment reversed and remanded with directions.

City of Rock Island vs. Gingles; affirmed.

City of Rock Island vs. Littig; affirmed.

Rock Island county vs. Rankin; affirmed.

Rock Island county vs. Arp; affirmed.

Tri-City Railway company vs. Gould; affirmed.

Tri-City Railway company vs. Wiedenhoft; affirmed for \$1,200.

#### Damages for Ordinance Violation.

The village of Hampton has been pursuing the Milwaukee road since the company raised its tracks running through the village above the grade established by ordinance enacted by the village board. Suits for damages were filed in both the county and circuit courts. The suit in the circuit court still is pending. The reversal by the appellate court is on the decision of Judge E. E. Parmenter, in the county court, on the demurrer of the railroad company. As there were several legal points in contention, on any one of which there could be a reversal, it is not known on which the appellate court based its opinion. The crucial point, however, was the position of the railroad company that the ordinance on which it was sought to recover damages was invalid for the reason that it gave to the president and clerk of the village legislative instead of executive powers. The ordinance provides a penalty of \$25 for each day after notification has been given to the violator. This would bring the damages into the thousands, but Judge Parmenter ruled that there could not be recovered in excess of \$200 on any one suit, as the statutes are explicit in stating that not more than that amount can be recovered under an ordinance.

#### Medical Services to Poor.

In the affirmation of the verdicts of the circuit court in the suits of Dr.

J. A. Rankin, of Watertown, and Dr. A. H. Arp, of Moline, against the county of Rock Island, there is established a precedent in the liability of the county for services rendered by a physician to families unable financially to employ medical attention. Dr. Rankin was called in by Supervisor W. R. Carey to treat a resident of Watertown, and was assured that the county would pay his bill if the patient was not able to. The circumstance was similar in the instance of Dr. Arp. The bills presented by the physicians were rejected by the board, whereupon they sued in the circuit court. The jury awarded Dr. Rankin \$149 and Dr. Arp \$240.

#### City Loses Two Cases.

By the ruling of the appellate court the city of Rock Island must pay to Mrs. Mary Littig and Loran Gingles the judgments entered on jury verdicts in the circuit court. Mrs. Littig, who was injured in a fall on a defective walk on Fifth avenue, was awarded damages of \$1,000. Mr. Gingles was given a verdict for \$1,250 for injuries sustained in driving into an opening on Fourth avenue and Ninth street while on his way to his home in South Rock Island. The accident occurred at night, when the city failed to provide danger lights.

#### Railway Company Suits.

The verdicts of the juries in the personal injury suits of M. A. Gould, of Moline, and Mrs. Bertha Weidenhoft, of Rock Island, against the Tri-City Railway company are sustained. The circuit court jury fixed the damages for Mrs. Weidenhoft at \$2,013, but this apparently was considered excessive by the higher tribunal, for there is a reduction to \$1,200 noted. Mrs. Weidenhoft was thrown to the pavement while alighting from a car, the car starting before her feet were free from the step. Both her shoulders were injured. There were two trials of the Gould case. In the first the jury gave a verdict of \$1,500. The court granted a new trial to the defendant. The second verdict, which is affirmed, was for \$1,100. Mr. Gould was ejected from a car in Moline. He claimed that the car was in motion and that he was thrown violently to the pavement, causing permanent injuries. The defense maintained that Mr. Gould had made himself obnoxious to other passengers on the car, but that he was not handled roughly, as charged, by the conductor. The attorneys of the railway company say the case will be carried to the supreme court.

#### Got Off Cheap.

He may well think, he has got off cheap, who, after having contracted constipation or indigestion, is still able to perfectly restore his health. Nothing will do this but Dr. King's New Life Pills. A quick, pleasant, and certain cure for headache, constipation, etc., 25c at Hartz & Ulmeyer's drug store; guaranteed.

# PIANO BARGAINS GOING FAST

### At Bowlby's clearing out sale of good pianos returned from branch stores, agents, and manufacturers' samples. PIANOS. ORGANS. PLAYERS. PRICES ON MANY CUT IN HALF

YESTERDAY WAS THE BANNER DAY OF THIS GREAT SALE. MORE INSTRUMENTS WERE SOLD, MORE CALLERS AND MORE INQUIRIES THAN ON ANY PREVIOUS DAY. THEY CAME FROM ALL THE TRI-CITIES, AND FOR MILES AROUND. WE SOLD TWO PIANOS BY TELEPHONE, ONE AT CORDOVA AND ONE AT CARBON CLIFF. TWELVE PIANOS AND ORGANS IN ALL WAS THE RECORD OF YESTERDAY'S SALES. AS A SAMPLE OF THE RUSH WILL SAY WE HAD FIVE SALESMEN ON OUR FLOOR LAST EVENING, AND AT ONE TIME THERE WAS FIVE SETS OF CUSTOMERS BEING WAITED UPON AND INSIDE OF 30 MINUTES FOUR OF THEM BOUGHT PIANOS. DON'T MISS THIS CHANCE OF A LIFETIME, BUT COME AT ONCE, AND YOU WILL FIND EVERYTHING JUST AS ADVERTISED. PLAIN FIGURES AND ONE PRICE TO ALL. TEN DIFFERENT MAKES OF PIANOS (8 OF THE HIGHEST GRADE) IN STOCK TO SELECT FROM.

### A FEW SAMPLE BARGAINS

 WAS \$275 NOW \$150 PAYMENTS	 WAS \$400 NOW \$248 PAYMENTS	 WAS \$500 NOW \$315 PAYMENTS	 WAS \$225 NOW \$110 PAYMENTS	 WAS \$350 NOW \$225 PAYMENTS
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### Good Organs at Half Price

We are selling organs so cheap at this sale it would almost be a shame not to buy one for the little ones. If you feel you can't reach a piano now the organ will do nicely for beginners, and practice. We have quite a number to close out at great bargains.

New \$75.00 Organs	\$39.00
New \$85.00 Organs	\$43.00
New \$95.00 Organs	\$49.00

Used organs at less than half price.

\$15.00 Organs, now	\$5.00
\$25.00 Organs, now	\$8.00
\$35.00 Organs, now	\$12.00
\$45.00 Organs, now	\$16.00

Terms \$3 to \$5 down, \$2 to \$4 monthly, or cash.

**\$95** buys a Chase used Upright Grand, \$10 cash \$5 monthly. A nice parlor size, Ebony case 7 1-3 octave, full iron frame, good playing condition. It's worth a special effort to secure, a bargain at \$95.00.

**\$135** buys a \$325 Upright Grand nearly new, having been used but a few months. \$10 cash & \$5 monthly will buy it. The largest and best the factory ever made. Mahogany finish, double repeating action, 3 strings, 3 pedals including muffler or practice stop attachment a \$325 piano now \$135.

**\$148** buys a full sized \$350 figured Golden Oak Upright Grand piano used 1 year and was half paid for when re-possessed. This is the best bargain you ever saw for the price. \$10 cash and \$6 per month buys it at \$148.

**\$187** buys an elegant \$375, full sized, walnut cased, Whitney (Kimball make) piano. \$10 cash, \$7 monthly. This is down cheap at \$187.

**\$247** buys a \$500 Kimball Colonial Upright in beautiful figured Sandalwood Mahogany, inlaid with white holly, gold pedals and hinges, pearl ivory keys, brass flange action, case very slightly checked from being in show window, the finish Colonial made, and dirt cheap to close at \$247.

**\$148** \$163 to \$198 buys brand new sample pianos sent out for our inspection by four prominent manufacturers. These are all first class makes and are sold in many cities by dealers as their leading pianos. They comprise all the fancy woods, and must be sold in this sale, or shipped back to the owners. This is an opportunity that we have never been in position to offer before.

**\$250** buys a \$700 Hallett & Davis Baby Grand which we have been using for concerts. This piano is just as good as new and will be fully warranted for 10 years. A great bargain for some school or society. Easy payments if desired.

### Wonderful Combination Offer—Piano and Player

A guaranteed piano worth... \$325.00  
A piano player, worth... \$250.00  
Rolls of music worth... \$25.00

.....	\$600.00
Sale Discount .....	\$250.00
Sale Price .....	\$340.00
Easy Payments or Cash	

Don't fail to see these players, they are the \$250 kind in all the fancy figured woods. We will attach them to your piano.

The sale price of these players, separately, is \$187.

Free concert at the store every day. You're invited.

## HAS NEW IDEA IN HEATING.

One of the Shurtliff vacuum boilers, a new idea in heating, has been installed in the Bijou cigar store and billiard room on Second avenue. Mr. Shurtliff, the patentee, is a resident of Moline. This is the first of his boilers to be placed in Rock Island. They have been tested by different parties in Moline, and have met all promises. Mr. Shurtliff confidently believes that it is only a question of time when the vacuum system will supplant all other heating systems. Speaking of his system, Mr. Shurtliff said:

circulating heat through the radiators after the fire has got too low to make ordinary steam. The system works just as well with pressure on the boiler as it does with a vacuum.

"It is a combination of all the good points in steam, vapor and hot water heating without any complicated devices. It is not an attachment on an ordinary system, but is all done by following the natural law of production and circulation of heat absorbed by water in an ordinary house heating boiler. It will heat all the radiators without pressure, which makes it safe from danger of explosions. The heat in each radiator can be regulated by hand by turning the valve, like hot water, without the danger of flooding with water, as all water made by condensed steam is returned to the boiler as soon as made. This system is economical of fuel, because it will keep on

"One of the principal advantages of the system is that there are no air vents on any of the radiators, thus doing away with the hissing air, and sometimes steam and water that is so disagreeable when forced out into rooms and onto carpets and wall paper by the gravity steam systems.

## Highest Skill Executed

IN DESIGN WORK AND BOUQUETS. Latest novelties in bouquets for weddings, also decorations for receptions, banquets, etc. Fresh flowers every morning, and the highest grade American Beauty Roses on short notice.

Everything modern. Orders delivered.

## Rock Island Floral Store.

330 Twentieth street. New phone 5638, old 712 K; residence 'phone 766 L.



## NO IMPROVEMENT

Seems possible in this season's line of Wall Paper, Border and Ceiling Decorations. The designs and colorings are all that can be desired. We'd be delighted to show you our stock in its entirety, or the part of it that interests you. Now is the time to begin your decorating, before the rush begins. You will always find us treating you right in regard to prices and quality of work.

Paridon Wall Paper Co., 419 Seventeenth Street. Old phone 721 X. New phone 5213.

## ELLIS GLENN FREE

### No Court Eligible to Hear "Man-Woman's" Case.

### DISCOVERED IN PRISON

#### Female in Attire of Opposite Sex Has Made Love to Numerous Maidens.

Ellis Glenn, the most widely-known "man-woman" in news annals, whose experiences in St. Louis, Illinois, and West Virginia while masquerading as a man, and making love to women have been familiar to newspaper readers since the discovery of her sex at the Chester, Ill., penitentiary five years ago, has escaped final trial on the charge of forgery.

Press dispatches tell of a peculiar judicial condition at Parkersburg, W. Va., where her case was set, which is responsible for the immunity of trial which she enjoys.

The case was set for the criminal court, but the judge of that court was the assistant prosecuting attorney at the time of her first trial, three years ago, which resulted in a mistrial. The present prosecuting attorney was at that time employed as her counsel.

Judge is Disqualified. The case cannot be taken to the circuit court, because the judge of that court is disqualified from the fact that three years ago he was the prosecuting attorney who worked up the case against her.

There is an acting judge whose duty it is to sit in criminal court cases in which the criminal judge is ineligible; but this judge acting is himself disqualified from having been a witness at her previous trial.

The case was set for trial last week, but, as happened, numerous times before, was continued. Ellis Glenn, who has become used to the feminine garments which she so long discarded, appeared for trial, and when the continuance was granted, disappeared with her accustomed mysterious suddenness.

Her Home Not Known. No one at Parkersburg, it is said, knows where she now makes her home, even her lawyers communicating with her through a third person. It is said she lives in Michigan, but there is nothing more tangible than hearsay on which to base this statement. She, herself, declines to say where she is making her home.

## LABOR UNION NEWS.

During the month of December, 1904, the returns for which are just reported, the sum of \$68,000 was distributed in death and injury benefits by the Order of Railway Conductors. Of this amount \$29,000 was paid out for disabilities.

A cooperative building association is being organized by the workmen of Tronton, N. J. A number of citizens who are not wage-workers are subscribers for stock in the enterprise. Of course, it will be strictly a union concern.

At a recent meeting of the Trades and Labor council, at Montreal, Can., the question of erecting a labor temple was again discussed, and a special committee was appointed to obtain a suitable site, and arrange all details in connection with the project.

A circular is being sent out by the Colorado State Federation of Labor setting forth conditions in that state, and warning workmen against being deceived into going to Colorado upon representations made by advertisements offering alluring inducements in the shape of high wages, etc.

Death, accident and pension benefits amounting to \$241,983.32 were paid out by the Carnegie relief fund in 1904 to employees and beneficiaries of the Carnegie Steel company and its underlying interests. Since the fund was established three years ago the disburse-

ments have increased five-fold, \$180,652.17 having been paid out in 1903 and \$18,213.85 in 1902.

The various unions representing the different branches of the glass workers' trade are considering the question of setting aside one day in each year, to be known as memorial day. On that day appropriate exercises would be observed by the union in memory of their dead fellow workmen.

William Shaffer, a brakeman of Denison, Ohio, was confined to his bed for several weeks with inflammatory rheumatism. "I used many remedies," he says. "Finally I went to McCaw's drug store for a bottle of Chamberlain's Pain Balm, at which time I was unable to use hand or foot, and in one week's time was able to go to work as happy as a clam." For sale by all leading druggists.

Hollister's Rocky Mountain Tea never fails to tone the stomach, regulate the kidneys, stimulate the liver and cleanse the blood. A great tonic and muscle producing remedy. 25 cents, tea or tablets. T. H. Thomas' pharmacy.

Consumption can certainly be cured. Nearly all cases in the early stages. Many even when far advanced. Fresh air stands first. Good food next. Then a medicine to quiet the cough and control the inflammation—Ayer's Cherry Pectoral. Ask your doctor about this advice. J. C. Ayer & Co., Lowell, Mass.

## PEAL FOUND; SENT TO JAIL

### Has \$30 of Wife's Money With Him When Arrested.

Arthur Peal, of Moline, yesterday was sent to the county jail for 30 days for disorderly conduct, his hearing having been held before Judge Olson in police court. Peal is the man for whom his wife made inquiry of the Rock Island police and who disappeared after having found \$50 of his wife's tax money which she had left tied in a handkerchief while she went to a grocery store. When Peal was arrested on the verge of delinquent terrors, he still had \$30 of the money on his person.

## A Destructive Fire.

To draw the fire out of a burn, or head a cut without leaving a scar, use DeWitt's Witch Hazel Salve. A specific for piles. Get the genuine. J. L. Tucker, editor of the Harmonizer, Centre, Ala., writes: "I have used DeWitt's Witch Hazel Salve in my family for piles, cuts, and burns. It is the best salve on the market. Every family should keep it on hand." Sold by all druggists.

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## The Inauguration of Styles

For the coming season has already taken place, and what will be the proper thing in gentlemen's wear for this spring and summer has been settled. We anticipate a large trade and bought accordingly of the most

## EXCLUSIVELY NEW FABRICS

which we are now ready to show you. And we can say, without fear of contradiction, that our stock has never before been equalled. If you haven't been entirely satisfied, give us a trial, and we are positive that we can please you.

And don't overlook our line of "Ready-to-put-on" Top Coats and Cravenettes, that have that touch of distinctiveness that you'll notice at once and which you will not find in the ordinary coats.

E. F. DORN, Leading Merchant Tailor 1812 Second Avenue.