#### THE OMAHA DAILY BEE: SUNDAY, JUNE 4, 1899.



BALLARD WILL IS PROBATED

Heirs-at-Law Withdraw Their Objections

and Stop Litigation.

Agreement Reached Docs Not Affect

the Proceedings Brought to Set

Aside Bequest of Woman's

Christian Association.

The litigation in the district court over the

vill of the late Mrs. Sarah J. Ballard took an

unexpected turn yesterday. The heirs-at-law

who had commenced suit to have the will set

aside withdrew their objections and on the

proper showing being made the will was ad-

mitted to probate. They also filed their con-

sent to the appointment of N. M. Pusey as

executor. This ends all the litigation so far

as the will itself is concerned, but does not

the bequests made to the association by Mrs.

Mrs. Ballard by her will left all of her

property, with the exception of the bequest

to the Woman's Christian Association hos-

her daughter, Mrs. Virginia Robinson, and of

baving made an attempted sale or assign-

ment of their expectancy or prospective

upon her at the time she made the will.

among seventeen of the heirs.

influence.

respective shares eaten up by the expenses

The value of the estate ready for distribu

that about \$8,000 be held for the shares of

two of the heirs whose rights are disputed

It was also agreed that the court appoint

were the guests of the club. Miss Grace Beebe entertained charmingly

Mrs. Levert entertained at dinner on

Manawa was the scene of a pleasant little

Lougee, Louie Zurmuchlen, Jr., Shepard, A.

numbered about fourteen.

to the latter's surprise.

vening.

Morningside.

Neak.

a special administrator to represent the es-

for the administration of the estate.

pital, to be divided "share and share alike" among her grandchildren, the children of

Ballard during her lifetime set aside.

#### MINOR MENTION.

Davis sells drugs. Mcore's food kills worms and fattens. Budweiser beer, L. Rosenfeldt, agent, Victor hot water heaters at Bixby's. Pictures and frames, C. E. Alexander & Co. George W. Edwards left last night for Balt Lake City.

Mrs. Merwin Maynard of Fourth avenue is quite seriously III. PUSEY NAMED AS EXECUTOR OF ESTATE

C. B. Jacquemin & Co., jewelers and op-ticians, 27 South Main street,

Get your work done at the popular Eagle Laundry, 724 Broadway, 'phone 157.

The June term of the superior court will convened Tuesday morning by Judge Aylesworth Sergeant Paul Loomis of the Baptist Boys'

brigade has been elected second licutenant to fill a vacancy.

The class for the study of church history will meet Wednesday evening at 8 o'clock in the choir room of St. Paul's Episcopal church.

The decoration ceremonies of Council camp, No. 14, Woodmen of the World, which were to have taken place today, have been postponed.

County Superintendent Sawyer was busy yesterday preparing his ruling in the High school site appeal, which he expects to hand down tomorrow.

Judge N. W. Macy of the district bench was in the city yesterday on his way home to Harlan from Clarinda, where he has been holding court.

The case of C. Bird, charged with the larceny by bailee of a gun by Pawnbroker Snyder, was continued in police court yes-terday until next Tuesday.

There will be a special meeting tomorroy niternoon at 3 o'clock in the city council chamber of the Council Bluffs Woman's Sanitary Relief commission

The public meeting of the Theosophical society will be held this afternoon at 3 o'clock in Odd Fellows' temple. The sub-ject for study will be "Karma."

During the strong wind yesterday after-tion a big window in the private room of the judge of the superior court at the county house was blown out and into the yard below.

The following cases of contagious diseases were reported to the Board of Health yes-terday: Clay Reel, 1739 Sixth avenue measles: Leonard Garwood, 707 Cook avenue, scarlet fever.

C. G. Saunders and George H. Mayne returned yesterday morning from lowa City, where they acted as members of the committee of examiners of the law class of the State university.

D. Sherman and T. A. Fuller, the two ob-bireperous peddlers, found to their cost yes-terday that it was a rather expensive amuse-ment attempting to kidnap an officer. Judge Aylesworth in police court fined them \$20 and costs.

Eva May, the infant daughter of Mr. and Mrs. O. E. Osborne of Hazel Dell township, and are to be settled by the court and to pay died Friday night, aged three weeks. The funeral will be held this afternoon from the family residence and interment will be in the Hazel Dell cemetery.

The last meeting of the Woman's Christian association before the summer vacation of Mrs. L. W. Ross. 617 Willow avenue. Every member is requested to be present, as there will be considerable important business to dispose of.

George Williams, charged with breaking istrator. into the barn of Homer Whistler and steal-ing a number of hand saws, had his preliminary hearing before Justice Vien and was bound over to the grand jury. John Madden, a painter, was arrested for complicity in the burglary and will have a hearing Monday.

The employes of the motor company have presented F. C. Clark, the retiring cashier, with a handsome opal and diamond pin. The presentation was made by I. Lovett, chief electrician. The delegation, numbering about twenty, representing all branches of the service, were treated to refreshments by Mr. and Mrs. Clark at their home on South First street. Mr. Clark leaves the motor company

to take a responsible position with the smelter company in Omaha.

nsolation trophy.

riends Tuesday evening in celebration of Mr. and Mrs. Fred Eisheimer gave a very olly housewarming party Sunday evening street and Avenue F. The guests numbered over forty.

The women of the First Congregational church gave a very pleasant lawn party Monday evening at the home of Mr. and Mrs. F. W. Miller in Morningside. Carriages conveyed the guest from the cars at Franklin avenue and the drive up through the picturesque glen was not the least enjoyable feature of the affair. Supper was served on tables spread on the lawn. The attendance was large.

The women of the First Presbyterian church gave a very enjoyable sociable Friday afternoon at the church parlors. Ice cream and cake and other dainty light refreshments were served during the after-Mrs. Chamberiain of Bluff street, and daughter, Edna, left Wednesday for Ohio.

They will be joined in Chicago by Dr Chamberlain. affect the suit brought by the heirs against Miss Alberta Woods entertained during the the Woman's Christian association to have week for her father, Mr. Joel Woods of

Henderson, Ia., and her aunt, Mrs. William Helm, of Colorado Springs, Miss Faley of Omaha was the guest last week of Mrs. Harrington of Park avenue.

Mrs. Eva Murray returned Friday from ( visit in Sioux Falls, S. D. Mr. Theron Josslyn of Kansas City I

her son, O. R. Ballard. A clause in the will visiting his parents in this city. Mrs. C. W. McDonald is visiting in Otprovided that in the event of any of the heirs

tumwa. Mrs. J. F. Helwig, 739 Mynster street, is

shares they should receive nothing and their visiting in Des Moines. shares should be divided proportionately Mr. and Mrs. George Lewis have re among the others. The heirs contested the moved from Clifton Hill, Omaha, to this will on the grounds that Mrs. Ballard was city, and taken a residence on Avenue A. Mr. and Mrs. T. J. Foley have moved into infirm and feeble both in body and in mind and without sufficient mental capacity to their new home on Sixth street, formerly make a valid will. They also alleged that occupied by Mr. and Mrs. J. N. Baldwin. undue influence had been brought to bear The Sisters of Bethany were entertained

Thursday evening by Miss Lulu Rudio at The litigation promised to be lengthy and her home on South First street. The evenexpensive and in order to avoid having their ing was pleasantly spent with music and games. The young women of Grace Episcopal

attending the suit the heirs agreed among themselves to withdraw their objections to church are planning on an entertainment to the will and permit a distribution of the be given at the Dohany Opera house in the estate. The agreement filed yesterday pronear future which promises to be quite a vides that the court shall issue an order society event. as soon as the executor filed his bond in the Mr. and Mrs. Frank P. Wright have as sum of \$10,000 for a distribution of \$28,000

their guests Mrs. Wright's sister, Mrs. C. C. Coldren, and daughter, Isabei, of Chicago Mr. George S. Wright returned yesterday tion amounts to \$36,000, but it is stipulated from a visit to friends in Des Moines and lowa City. Mrs. I. E. Plattner has returned from her ranch in Stockton, Cal., and will make ac

extended visit with her sons, Clay and Charles. Mr. and Mrs. E. E. Nance are visiting

tate in the proceedings against the Woman's over Sunday in Dallas county. Christian association, as N. M. Pusey, the executor, acted as Mrs. Ballard's attorney Mr. Harry Ransdall left Friday for a visi in Chicago and drew up the deed whereby Mrs. Ballard The pupils of Miss Cora Gretzer's class a

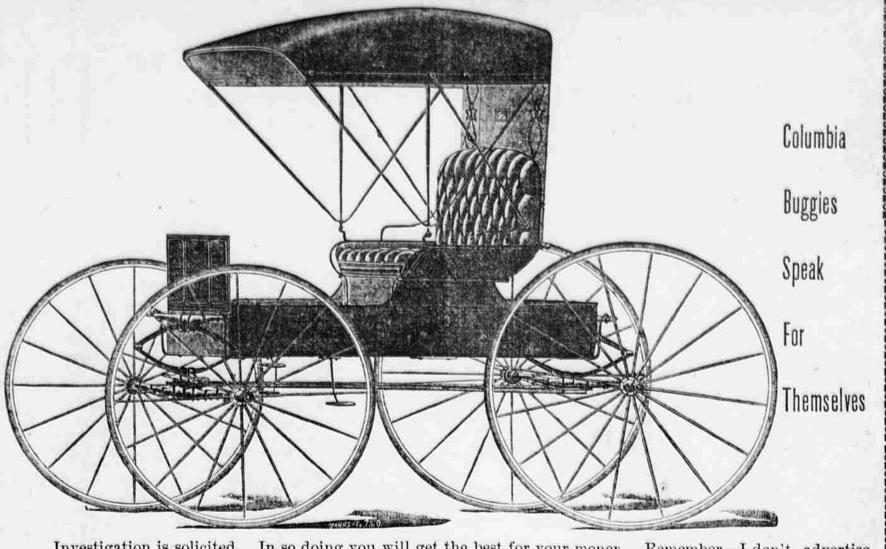
bequeathed to the association the property the Washington avenue school enjoyed now in controversy. This disposes of the very pleasant picnic at Fairmount park yessuit brought by the heirs opposing the apterday. pointment of Mr. Pusey as special admin-Miss Blanche Arkwright leaves today for

In addition to a cash bequest of \$10,000 Portland, Ore. She will be accompanied by Mrs. Ballard conveyed to W. H. M. Pusey in Mrs. Telby of Omaha. They will make a trust for the association on December 28, trip to San Francisco, thence by boat to 1897, three lots on First avenue just west of Victoria, B. C., and home by way of Can the Grand hotel, two lots in Beers' addition ada, their journey probably occupying sever and one in Everett's addition. The property or eight weeks.

on First avenue is improved and contains Mrs. W. C. James and daughter, Mrs two residences, one of which was Mrs. Bal-Cortland Palmer, have returned from Den lard's home. The property thus conveyed is ver, Colo. valued at about \$20,000. The heirs have Miss En

Miss England of Glenwood was the guest last week of Dr. S. F. Thomas and family. Mrs. C. W. McDonald entertained Mrs brought suit to have the trust deed set aside, alleging that it was secured through undue C. A. Goldsmith and son of Chicago, who were en route for Denver, where they ex-

We have a long list of people using Her-rick refrigerators. Come and look the list Mr. F. Hill has gone to Madison Lake Augusta grove has elected the following over. Select any person in the list and ask officers for the ensuing year: Past com- them how they like the Herrick. P. C. Wis., for a several weeks' sojourn. He was accompanied as far as Duluth by his mother, Mrs. Hill. DeVol, agent Mrs. Letson of Fifth avenue is entertain Ten state institutions of Iowa have Hering her mother, Mrs. Charles Baughn of rick refrigerators in use today. Harlan. Davis sells the best sodawater. Miss Estella Little returned Monday from an extended visit at Henderson, Ia. Domestics use Domestic scap. Mr. and Mrs. John Beno, jr., have taken the cottage on First avenue, recently oc-SOCIAL SIDE OF COUNCIL BLUFFS cupled by Mr. and Mrs. C. E. Giles. Numerous Informal Events Help to Mrs. George Kemper Patterson of Denver, Colo., nee Miss Gibbs, of Harlan, Ia. While Away the Time. Mr. and Mrs. E. E. Hart gathered about is the guest of Miss Florence Letson of their hospitable board Friday evening Fifth avenue. Messrs. and Mesdames John N. Baldwin, Mr. John R. Beveridge of Omaha and Miss Douglas, Sapp, Maurer, Mrs. Bebbington Cora M. Smith of this city were married Misses Dodge and Waddell, Mrs. Putnam Sunday afternoon at the home of the bride of Boston, Mrs. Arthur Crittenden Smith on Vine street. The ceremony was perand Mr. Robert W. Patrick of Omaha. The formed by Rev. R. Venting in the presence color scheme was red, American Beauty of only immediate relatives and a few inti roses being used in profusion on the table. mate friends. Mr. and Mrs. Beveridge will The Pedalers' Wheel club enjoyed a pic



Investigation is solicited. In so doing you will get the best for your money. Remember-I don't advertise the largest stock, but in vite you to see for yourself.

### SEND FOR CATALOCUE

HENRY H. VAN BRUNT, COUNCIL BLUFFS, IOWA.

# Rag-Tag.

Odds and ends are to be found in every store after a busy season. We are no exception to the rule. To clean up our stock we offer you bargains-such as you never heard of before:

Axminster carpets, formerly \$1.35, now \$1.00 Moquette carpets, formerly \$1.00, now.. 75c Body Brussels carpets, formerly, \$1.25, now 75c Tapestry Brussels as low as..... 50c Smyrna carpets, formerly \$1.35, now.... 75c

Nottingham Lace curtains, formerly \$1.00, now 65c Nottingham Lace curtains, \$1.15, now...... 75c Nottingham Lace curtains, \$1.25, now .....\$1.00 Nottingham Lace curtains, \$1.50, now ..... 1.25

Muslin ruffled curtains at cost from 75c to \$2.75.

# HERRICK DAY Thursday, June 8, 1899.

We have arranged to give the largest EXHIBITION OF REFRIGERATORS ever had in Council Bluffs. If you want a refrigerator, now will be the time to look at the HERRICK, The Only Sanitary Refrigerator Made. Do not miss this; it is an optunity never offered before.

Every home in our city should have a Herrick. It is the best medium you can get to preserve health in your family. No Poisonous Zinc Linings, No Mould, No Scrubbing Necessary, No Large Ice Bills to pay. Guaranteed to give satisfaction. Remember the day. Everybody invited. Bring your friends.

### P. C. DEVOL,

#### on Upper Broadway Monday evening. The parlors were tastefully decorated, red and white being the color scheme carried out. The first prize was carried off by Mrs. N D. Miller and Mr. D. Flack captured the

Miss Grace Ehlbracht of Stutsman street entertnined about forty of her young her 15th birthday at their new home, corner of Sixteenth

mander, Mrs. F. Williams; chancellor com-mander, C. A. Tibbits; vice commander, Mrs. C. Morgan; chaplain, Mrs. Ella Jones; secre-tary, L. Burk; treasurer, H. Otto; warden, Mrs. V. Chase; conductor, Mrs. A. Harron; inner sentinel, Mrs. Maggie Christensen; outer sentinel, Mrs. C. Anderson; musician, Mrs. K. Harrington; captain degree team, Mrs. Mary Tibbits. The officers will be installed July 1.

#### N. Y. Plumbing company. Tel. 250.

#### Try Klein's fragrant smokes.

Real Estate Transfers. The following transfers were filed yesterday in the abstract, title and loan office of day in the abstract, title and total officient of the second se .\$ 200 Jacob J. Kies and wife to Leonard Everett, lots 10 and 11, Rohrer's subdivision, w. d. Charles R. Hannon and wife to O. P. Hausen, lot 5, block 8, Howard addition q. c. d. Carrie Van Brunt and husband to May Van Brunt, si<sup>5</sup> lot 11, block 4, Glen-dale addition, w. d. Emma Waite and husband to A. E. Haas and Charity R. Babcock, lots 11 and 12, block 6, Jeffries subdivis-ion, w. d. 1,000 5,500 M. P. Longmade and wife to J. B. Lan-dis. lot 6, block 5, Ferry addition, 

Total amount of eight transfers....\$10,105

Klein's strawberries beats 'em all.

Buy a Herrick refrigerator for baby's sake.

Grand Army Men Are Grateful. At the meeting of Abe Lincoln post, Grand Army of the Republic, last night, the following resolution was adopted:

Resolved, That Abe Lincoln post, No. 29 distributed, Mrs. Charles Casady winning Grand Army of the Republic, hereby tender its thanks to the Women's Relief Corps, the the first prize and Mrs. Bowles the second. Woman's Sanitary Relief commission, the High School cadets, the soldiers of the Spanish-American war, the visiting ex-soldiers and sailors, the Ancient Order of United Workmen, the Modern Woodmen of been decided. America, the Knights of Pythias, the Glee club. Hon. Emmet Tinley, Hon. E. L. Shugart, Revs. D. C. Franklin and George Edward Walk, the police and fire depart-ments and all others who in anyway contrib-four men joined the women at dinner, much four men joined the women at dinner, much uted to the success of our memorial services.

#### A Flower Mission Paper.

The Flower Mission Magazine, which has friends very informally on Wednesday evenjust made its apppearance under the editor- ing at their home on Lincoln avenue. ship of Miss Irene Louise Test of Council Bluffs, is a new departure in journalism picnic on Tuesday last. The party was com- waukee and have taken a house on Mill in the form of a monthly magazine in the posed of Misses Sade Farnsworth, Bennet street. interest of flower mission work. While and Schoentgen and Messrs. Fred Empkie, the first number is largely local, the editor Gleason and Clinton Spooner. expresses her intention to broaden its scope number of friends at cribbage Wednesday to deal with flower mission activity throughout the country by including historical and descriptive articles of the missions in dif ferent cities. The first number of the little paper of eight pages and cover is a credit-W. Casady, D. L. Ross, Mrs. Janey and Mr. able production

Drink Klein's summer drinks.

#### Marriage Licenses.

Licenses to	wed	were	issue	d :	Yest	e	đ	83	ė I
the following	pera	ons:							
Name and r	eside	nce.							١g
George Tarrat									
Laura Peterso									
Will Coffman,	Cou	ncil I	luffs.			22	• •		. 3
Bertha Boggs.	Cou	nell I	lluffs.	1.7.5		e.e	1.5		. 1

LIFE INSURANCE POLICIES BOUGHT or Cash or Loaned on.

make their home in Omaha. nic trip, luncheon and fishing party at Mrs. M. F. Huber returned Monday fro Hanthorne lake Tuesday. The trip was an extended trip in the east. Mrs. J. E. Hollenbeck is entertaining Mrs. made in a four-horse carryall. Miss Lutz

won the honors of the day by catching the biggest string of fish, while Mr. Henry Frank Hollenbeck of Des Moines. Mrs. J. J. Hughes is visiting friends in Mann captured the prize for the biggest Jacksonville, Ill.

Mrs. E. L. Scofield left Tuesday for fish story. Messrs, Robert Peregoy, Fred Searle, Clark Hayes, Charles Blaine, Painter visit with her parents, Mr. and Mrs. J Knox, Harry Mann, Harry Hattenhauer, W. Neland at Belle Fourche, S. D. Osro Blanchard, D. E. Stuart and Ray Bixby

Miss Mabel DeBar and Miss Addle Matthews spent last week visiting friends at Honey Creek. Mr. W. W. Loomis left Tuesday for i

Tuesday evening in honor of Miss Helen Baldwin. The guests were given chewing visit of several weeks at Point Pleasant, gum and requested to mould it into minia-Madison, Lake, Wis. ture donkeys. The result was most amusing Mrs. George Edward Walk and daughter and decidedly interesting. It was unani-mously decided that the donkey made by returned Tuesday from Kansas City and are now at home to their friends at St. Miss Pinney was the most artistic. After Paul's rectory. Mrs. Walk is much imthis an impromptu musicale was held. The rooms were gay in patriotic decorations and proved in health and has almost entirely recovered from her recent illness. Mrs. Harvey of Denver, Colo., is visiting the idea was prettily carried out in the

elaborate refreshments served. The guests her parents, Mr. and Mrs. Thomas Tostevin of Park evenue Mrs. C. E. Kimball is enjoying a visit

The Hamilton Whist club was entertained at the home of Miss Key Thursday afterfrom her sisteer, Mrs. Burton Everett of noon by Mrs. Bender, Miss Farnsworth and Salt Lake. Miss Key. The prizes for the month were Dr. and Mrs. F. M. Butchart left Thurs-

day for Red Oak, where they will make their home in the future.

There will be one more meeting of this Mr. J. J. Keith entertained the last week club, Mesdames Ross, Shugart and Hess be-Mr. J. R. Meek of Indianapolis. ing the hostesses. The date has not yet

Miss Kate Olson returned Wednesday from an extended visit with friends and relatives in Nebraska.

Miss Gertrude Slyter is visiting in Misouri Valley. Mrs. N. C. Phillips is in Wayne, Neb. the guest of Mrs. Damon, formerly Miss

Zurmuchlen of this city. Miss Mary Smyth visited friends in Iowa Mr. and Mrs. Yacger entertained a few

lity the last week. Mr. and Mrs. W. H. Smith returned Wednesday from their wedding trip to Mil-

Mr. and Mrs. J. N. Casady, jr., Mrs. N. Casady, Mr. and Mrs. M. F. Rohrer and

Mr. and Mrs. Dillon Ross entertained a Mr. and Mrs. W. L. Douglas attended the wedding of Mr. George Warner Avery and Miss Mary Elizabeth Lawrence at Sioux Messrs. and Mesdames Shugart, Eldin H. City last Thursday.

Mrs. Nicholas O'Brien is visiting friends and relatives in Avoca. Chester Dailey left Thursday for Toronto,

Wood Allen enjoyed a most delightful Chester Dailey left Thursday for ' outing Tucsday at the Bennet farm, near Can., to spend a year with relatives. Miss Claudia Sectt is visiting friends in

Ottumwn, where she attended the gradu-On Wednesday the pupils of St. Francis academy gave an evening with Shakespeare. ating exercises of the High school senior An excellent program was rendered, a no- class Messrs. F. J. and D. F. McCarthy of table number being the trial scene from

The Merchant of Venice." The Mandolin Neola spent part of last week in the city, club gave several selections and a couple guests of their sisters. Mrs. W. C. Unf piano solos concluded the evening. f plane soles concluded the evening. Miss Rhuey Yaeger of Lincoln avenue Mr. Paul Tulleys of Bloomfield. Neb., was

ntertained Miss Ollie Smith during the the guest of his parents on Park avenue the last week. The young women of the Pedaler's Wheel Captain John Lambert of Pueblo, Colo., has returned home after a visit of several club were the guests Friday evening of days with his sister at St. Francis' academy. Miss Buelah Hoagland.

E. H. SHEAFE & CO. S Pearl Street. Council Blaffs. Iowa. ant informal high five party at her home tending the meeting of the Masonic grand

Brussels net from \$3.50 to \$50.00. Portieres from \$1.75 to \$25.00. Rope portieres from \$2.00 to \$10.00. Extension sash curtain rods only 5c.

## Treynor & Gorham, 400 and 402 Broadway, Odd Fellows' Temple

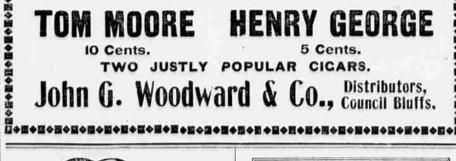


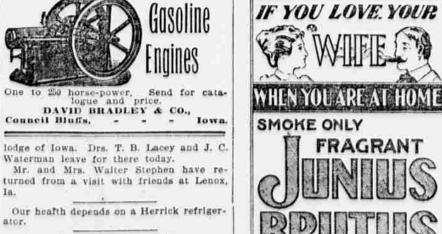
WARRANTED BICYCLE, \$24.00. Not the best and not strictly high grade, but a wheel we will guarantee and protect. Ladies' or Gents' wheel, same price.

Also the famous LEAGUE bicycle. Over 200 being ridden today in the city. \$35.00 buys it.

CHAINLESS COLUMBIA, three years on the market. Rides fifty per cent easier than any chain wheel-\$65.00 and \$75.00.

41 Main Street, Council Bluffs.





ator.

COLE

Bolton's Domestic is the genuine. Davis has the nicest and cheapest line of hammocks in the city.

Dog Catcher in Trouble. The dogcatcher ran up against a tough proposition last evening at Broadway and Fourth street when he attempted to take an untagged little pet canine away from a small hoy. The boy commenced to cry and the streets being crowded at the time, it took but a few seconds to gather a crowd whose

(Continued on Ninth Page.)

