

Council Bluffs

ORDINANCES VS. STATE LAWS

Conflict Arises Over Vagrancy Provision of City.

NEW ORDINANCES TO COME

City Solicitor Kimball Will Draft One that Will Not Clash with the Iowa Statutes.

Conflicts between the Council Bluffs city ordinance and the Iowa state laws, which have long sustained strained relations, have almost reached the point of open hostility in the administration of the city police statutes.

Thursday morning it was discovered that there was no city ordinance or state law defining and prohibiting "disorderly conduct" and the disorderly charge brought against Mrs. Emma Mearns, three other women and two men found in the road-house on West Broadway, which the woman owns was dismissed.

Several were arraigned on the vagrancy charge but the case in which Attorney Benjamin was interested was that of John Hooten. When the case was called the attorney asked for dismissal on the ground that the city's "vagrancy" ordinance conflicted with the state vagrancy law in two important essentials, a different definition of the offense and a penalty not prescribed by the state statute.

The Iowa law defines vagrants as habitual drunkards, gamblers, prostitutes, all persons traveling about and having no visible calling to maintain themselves, beggars, persons going about collecting alms under false and fraudulent pretenses and all persons playing at games of chance or betting on any street, public or open place.

The law prescribes that such persons shall be arrested upon a warrant based upon a sworn complaint filed in a proper court. The penalty prescribes that any justice or qualified peace officer shall exact a bond from the accused to the amount of \$100 guaranteeing his good conduct for a full period of one year.

William Young, 68 years old, died at his home, 214 Avenue C, yesterday after an illness of six months from liver troubles. He was a member of Excelsior lodge, Masonic, and a communicant of the Memorial Baptist church. He is survived by his wife and two children, Mrs. Kate Reid of Sterling, Colo., and Charles B. Young of Omaha.

LAKE ANDES PLACE TO FISH

Harry M. Brown, district clerk, has returned from a fishing excursion among the lakes of North Dakota.

Harry M. Brown, district clerk, has returned from a fishing excursion among the lakes of North Dakota. He describes Lake Andes as a fisherman's paradise, with schools of black bass eager for any kind of contest with the lures of the sport from a savage fight to a race through the clear and cold waters of the lake.

Call Sargent's, 330, if your shoes need repairing. We call for and deliver them.

Geo. W. Klein Upholstering, Furniture Repaired and Refinished, Feathers Renovated, Mirrors Replaced, and all kinds of mattress work done.

A. A. Clark & Co. HORSES, CATTLE AND HOUSEHOLD FURNITURE AND ANY CHATTEL SECURITY AT ONE-HALF THE USUAL RATE.

Council Bluffs

Minor Mention

The Council Bluffs office of the Omaha Bee is at 15 South Street, Omaha, phone 42.

DAVIS, DRUGS. DIRECTOR SALE at Maurer's. The Clara barber shop remains. Corrigans, undertakers. Phone 18.

Large front room to rent. Phone 623. Perfect fit and styles. Martin Peterson. FAUST BEEK at ROGERS' BUFFET. Working Undertaking company. Tel. 22.

Lewis Cutler, funeral director. Phone 27. FOR EXCHANGE OF REAL ESTATE TRY SWAPS.

Miss P. Broadway Fine Arts. Mrs. P. Broadway Fine Arts. Corrigans, undertakers. Phone 18.

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United Travelers Planning Picnic

Event This Year Will Take Place at Lake Manawa, as is Usual.

The members of Council Bluffs lodge of Commercial Travelers will meet tonight in the Merriam block to take up the matter of the annual picnic.

It is usually held in the place chosen for the picnic this year will be of more than usual importance and will be enjoyed by a much larger number than usual.

It is said that some celebrities in the kingdom of meeting travelers will be present at the commencing tonight to assist in providing for the event.

GRISWOLD MAN BANKRUPT Position in Voluntary Bankruptcy Filed in Federal Court by Elvin Sealey.

Elvin Sealey of Griswold, Ia., filed a petition in voluntary bankruptcy yesterday in the federal court.

The scheduled liabilities for the amount of \$1,478.93, two claims of which, amounting to \$1,000, being secured.

The assets are listed at only \$85. One of the creditors is the First National bank of Council Bluffs, whose claim of \$400 is one of the two secured.

The security is a mortgage on the old Crystal mill property on South Main street. Two notes, each of \$1,000, are held by the bank of Malvern, and are secured by a mortgage upon the plant of the Malvern Milling company.

Among the unsecured creditors whose claims are unsecured is a note held by the Malvern bank for \$5,000, an overdraft of \$1,500 on the same bank, and a note for \$800 assigned by the Midland Trust company of Omaha to the First National bank of Council Bluffs.

The smaller creditors are not numerous. The list of assets are listed as clothing and household furniture, which is exempt. The liabilities are described as being mostly partnership debts.

Sealey was engaged in the milling business with A. N. Benton of Malvern. Benton is now a resident of Idaho.

TAKE INVOICE OF BOOKS City Librarian Busily Engaged Finding Exact Condition of Board's Property.

The task of inventorying the more than 30,000 books in the free public library, finding the condition of the various volumes and gathering other essential data in relation to the books, is now under way as a part of the midsummer reorganization of the library.

For a year since an invoice was taken and the library board is really without definite information concerning the number of books on hand.

It is by taking a general invoice that the actual number of books can be ascertained.

The regular and careful monthly checking, more than a week's work has been accomplished in the children's room alone and the entire job will consume a long time.

No extra help has been afforded and the work will be further delayed by the granting of the annual summer vacations which are now due.

Miss Beesie Black, in charge of the children's room, will leave early in the week for her home. Two weeks later Miss Schoedack will take her vacation and Mrs. Dalley and Miss Sherman will have their complete rest period later in the season.

ADDITION TO PARISH SCHOOL Ground Broken for Structure that Will Greatly Improve Present Building.

Ground was broken yesterday for an addition to the St. Francis parish school on the corner of Fifth avenue and South Sixth street.

The school has been used only for the education of boys, but with the enlargement co-educational features will be incorporated.

The improvements, which will completely remodel the character and appearance of the present building, will approximate \$20,000 in cost.

The old building, which is a brick structure, will be veneered with the same character of pressed brick used in the new part and when completed the building will have nine large school rooms.

The style of architecture is simple and classic, the principal ornamentation being light stone trimmings. Wickham Bros. have the contract for the building and have let the carpenter work to Anderson Bros. at the price of \$8,000.

Construction work will be pushed in order to enable the building to be used early in the winter.

F. E. CARTER IS INJURED Henderson Man Throws from Automobile and Hurt—Recovers in Short Time.

F. E. Carter of Henderson, Ia., was painfully injured in an automobile accident on West Broadway at 3 o'clock yesterday morning.

The machine was being driven by Guy Gabler, who was stopped over the vehicle in some manner not explained.

Carter was thrown out with such force that he was rendered unconscious, and Dr. Sidney Smith, who resides near Eighteenth street and Broadway, where the accident occurred, was called.

After an examination the police ambulance was requested and Carter was taken to the Edmundson Memorial hospital. The driver escaped with slight injuries. Carter was able to leave the hospital during the day and return to his home at Henderson.

Discount Sale. Our semi-annual discount sale is now on. It includes dresses, gowns, party outfits and wool, framed pictures, etc.

Buy in advance for your fall use for gifts and card prices.

ALEXANDER'S ART STORE.

Real Estate Transfers. These transfers were reported to the Bee Friday, July 15, by the Pottawattamie County Abstract company of Council Bluffs:

Michael G. Carrigan and wife to M. G. Carrigan Co., 4 1/2 lot 4, block 4, Bayliss lot 1 add. to Council Bluffs, Ia., w. d. \$4,000.

Wallace Benjamin to J. J. Day lot 1 in Benjamin Park, add. to Council Bluffs, Ia., w. d. \$1,000.

Lucy L. Sapp and husband to J. J. McCall, lot 1 in Sapp Place, add. to Council Bluffs, Ia., w. d. \$2,000.

Ethel C. McCall and husband to E. A. Snapp, 1/2 of lot 2 and all of lots 3 and 4, block 1, Carson, Ia., w. d. \$1,000.

J. W. Lewis and wife to A. B. D. J. McLean, one acre in sec. 4 of 21-7-35, q. 4. \$5,000.

Council Bluffs

JESSAMINE BUSH IN BLOOM

Southern Flower's Fragrance Wafted Far from Lawn on Washington Avenue.

Miss Lucy Blanchard, 235 Washington avenue, is enjoying the beauty and fragrance of a White Cape jessamine, which has burst forth into a cloud of fleecy white bloom, so fragrant that it pervades the neighborhood.

Miss Blanchard's brother brought her the plant from Mississippi last winter and it has taken so little to its new environment that it has thrived wonderfully and become a good sized bush. It is the first vision of real sweet southern beauty that has been seen by many of Miss Blanchard's friends who have called to admire it.

Heil! Is this Rosenfeld? Send us a case of Budweiser. We want it for medicinal and family use. Also full quart of California wine.

N. Y. Plumbing Co. Tel. 250 Night, L-170.

Narrow Escape in Morning Followed by Real Fall from Motorcycle on Slippery Pavement.

E. R. Morgan, 1007 Pinkney street, the emergency motor cycle officer, fell from his machine while going eighteen miles an hour near Twentieth and Binney streets last evening.

He was riding a few yards ahead of Sam Reigleman, who, together with him, has been rounding up auto speeders effectively during the last week.

His machine struck a place in the road where the water from a lawn sprinkler had made it slippery. His wheel skidded and he came to a stop.

Mr. Morgan fell in a cramped condition and was badly injured. He was in intense pain for some time, and was taken to his home by ambulance.

Police Surgeon T. D. Harris attended him, and stated that he did not think anything serious would result.

Mr. Morgan had a narrow escape from an accident in the morning, which he stated was the closest call he had ever had.

Dexter Estate to Charity Founder of News Company Makes Large Public Bequests Subject to Life Interest for Daughter.

NEW YORK, July 16.—The will of Henry Dexter, founder of the American News company, who died lately, filed today, leaves the bulk of the income of his estate to his daughter, Charissa Treatwell Dexter, who is his sole surviving heir.

During her life, subject to the payment of maintenance to her, she is to receive, in addition, a "plain, blunt soldier, open and frank" general Elliott was paid a tribute by the court for telling the whole truth "even to his whole detriment, if he thought the facts had the least bearing on the question."

General Elliott was the court, "of the adjutant and inspector, his assistants and some others and unjustly believed they were trying to drive him from office."

What was his irascibility was a disease of the right ear, which infirmity does not appear to have been generally known to his subordinates.

He worked for the good of the service and accomplished much, but failed to maintain discipline at headquarters and to enforce proper respect for himself in office.

Colonel Lauchheimer, according to court, had violated the spirit but not the letter of the regulations requiring subordination and loyalty, and had made several instances of specific reports against his superior officer.

But on the other hand Colonel Lauchheimer was declared to be a capable and efficient officer and one who was frequently consulted by General Elliott.

Colonel Lauchheimer has been on his present duty since December, 1904.

Among other things he was charged with violating the regulations of the court in ascertaining the facts, except in his own interests, though he answered specific questions.

Colonel Denny was held to have intentionally evaded answering questions on a subject of which he had full knowledge, as to the facts of the case.

He showed a remarkable failure to display the proper respect and subordination due to his commandant.

Differences from Lack of Firmness. The court found generally that the difficulties had arisen from a radical difference of policy between General Elliott and Colonel Lauchheimer through the court's lack of firmness, consistency in language and department and a too long tenure of office in the adjutant, inspector's and quartermaster's departments, resulting in loose ideas of subordination and military ethics and lack of professional and military experience.

The inquiry of which this wholesale action was the outcome was ordered as the result of the suspension by General Elliott of Colonel Lauchheimer for five days on a charge that he had been "keeping back" on Elliott's personal conduct.

Colonel Lauchheimer sought the court of inquiry, which sat for six months hearing testimony.

DIXON HAS BIG RAIN Streams Flooded and Business Houses Suffer in Pecos and Vicinity.

PONCA, Neb., July 16.—(Special.)—Ponca had a flood scare today. It rained so hard at Newcastle that all the creeks were up, and by the time the South creek came pouring into the Aows it went over its banks.

The railroad suffered so that a passenger train was held here until 7 o'clock, when the waters had subsided enough to let the train go west.

Several blocks were under water, ruining a great many gardens and filling many cellars. Water ran over the streets several inches deep.

Several places of business prepared for moving stuff from their cellars. There was only about two inches of rainfall here, but west and north reported showers from four to four and a half inches. There was little or no wind.

SAYS IS DENIED PATRONAGE Senator Bristow Declines in Speech at Olathe that Opinions Make Him Troubled.

OLATH, Kan., July 16.—For the first time since he returned to Kansas, United States Senator Bristow, in a speech here last night, referred to the fact that he had been denied patronage by President Taft.

"It is disagreeable," he said, "to be ostracized from political recognition for opinion's sake."

The Key to the Situation—Bee Want Ads.

20% DISCOUNT Continental 20% DISCOUNT

Last Week Was a Record Breaker Here THE LARGEST CROWDS THIS STORE HAS EVER WELCOMED, WERE ON HAND TO SNAP UP THE WONDERFUL VALUES THIS SALE OFFERED.

IF YOU HAVEN'T AS YET ATTENDED THIS SALE, YOU CAN'T AFFORD TO BE AMONG THOSE ABSENT THIS WEEK. DON'T YOU NEED AN ODD CHAIR FOR YOUR SITTING ROOM, A NEW TABLE FOR YOUR DINING ROOM, A PRETTY PIECE FOR YOUR PARLOR OR A NEW BRASS BED?

At Least Come and View Our Offerings WE HAVE EVERYTHING TO FURNISH YOUR HOME COMPLETE

Continental 214-216 Broadway, Council Bluffs

SEE US FOR YOUR COMPLETE OUTFIT

214-216 Broadway, Council Bluffs

CENSURE OFFICERS IN STRIFE Aged Business Man Kills Self for Young Woman

United States Marines Fail to Agree and Get Into Trouble. Prominent Chicago Real Estate Dealer Shoots Woman and Commits Suicide.

CHICAGO, July 16.—Charles W. Rigdon, 65 years old, well known for many years in Chicago real estate circles and father of Jay A. Rigdon, assistant cashier of the Hillierian Banking association, seriously wounded Mrs. Emma Deufex, a young widow, and then shot and killed himself in the office of John C. Fetzer in a downtown office building here late today.

Although presenting to the police a mystery as to the direct motive for the tragedy, Inspector Lavin says the shooting is the outgrowth of a romance in which love and business were tangled.

Mrs. Deufex has been a close friend of Rigdon's for several years and that Rigdon had given her money and stocks and then had quarreled with her. Mrs. Deufex, say the police, called upon Rigdon to carry out certain alleged promises and, despite his refusal, persisted in going to see him and in attempting to affect a settlement.

Pending a coroner's inquest Mrs. Deufex is being treated under guard at St. Luke's hospital and Miss Wilson is held prisoner at the Harrison street police station. Inspector Lavin has been able to learn little regarding Mrs. Deufex or Miss Wilson, although Mrs. Deufex is said to be from St. Paul, Minn., and to have a sister who is a nun in a Wisconsin convent.

Two unsigned letters in the dead man's coat have been secured by the police and are being used in efforts to unravel the tragedy. Both letters were written by a woman. One severely criticizes Rigdon and the other addresses him in endearing terms.

Rigdon recently returned to Chicago from an extended western trip. He is said to have made an extensive deal in Nevada mining property while on this trip. It was said that the woman had visited the office on a number of occasions in the last few months.

It was at the time of the attack on Miss Mary Wilson, also of St. Paul, the latter and Miss Deufex are said to have been on their way east and to have stopped off in Chicago for the purpose of seeing Rigdon.

Rigdon, it is said, returned to Chicago today from Reno, Nev., where he witnessed the Johnson-Jeffries fight.

General Elliott Suspicious. "He was suspicious," added the court, "of the adjutant and inspector, his assistants and some others and unjustly believed they were trying to drive him from office."

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MURDERED WOMAN BURIED Funeral of Mrs. Thomas McCoy Takes Place at Onawa—Katz's Relatives Refuse to Claim Body.

ONAWA, Ia., July 15.—(Special.)—The funeral of Mrs. Thomas McCoy, who was murdered Tuesday night by Johnny Klatz, was held here Thursday at the home in which she gave up her life.

The services were brief and were conducted by Rev. Law Parris of the Christian church. The body was taken to Whiting and laid beside her mother, who died some fifteen years ago. Arrangements for the funeral of Klatz have been made for Saturday, awaiting the arrival of a brother from Idaho.

Klatz had no means with which to pay funeral expenses and relatives here would not claim the body. A subscription paper was circulated and enough money raised to give the body decent burial. If this had not been done the expense would have fallen on the county or the body sold to some undertaker.

All developments in the case go to show that Klatz was deeply infatuated with the woman whom he murdered and that she was trying to get rid of him, which led up to the tragedy Tuesday night.

Before Mrs. McCoy's divorce from her husband Klatz lodged at the McCoy home. The little 8-year-old daughter is left an interest in forty acres of land near Whiting and also a town property.

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