

Council Bluffs**Minor Mention**

The Council Bluffs office of the Senate has its address at 12 South Street. Both phones 66.

Davis, druggist.
The Clark Barber shop for barbers.
Corrigan, undertakers. Phones 166.
FAINT BEER AT ROGERS BUFFET. Picture framing, Jensen. Masonic temple. Wondring Undertaking Company. Tel. 28. Lewis Cutler, funeral director. Phone 26. Lewis Wickes Hirsch for painting. Tel. 28. AMERICAN EXCHANGE OF REAL ESTATE SWAPS. Hudson Broadway studio new location. Tel. West Broadway.

WE CARRY MALT EXTRACT. J. A. Klein Co., 308 West Broadway.

Brew your grain at home or repaired by J. W. Schaeffer, 424 Broadway, office with George Gerber.

FOR RENT—Five room cottage on Mountain in excellent condition, city water and electric light. George Zoller, 36 Broadwater.

Yesterday being Friday only one couple had the courage to apply for a marriage license. They were H. H. Hickford, aged 21 and Ossie O. Spencer, 26 years old, of Lincoln.

Mrs. Kate Bird Curtis yesterday began an action in the district court against Birch Kuhn to collect a balance of \$1,000 due him for the building of a building at 1812 Harlan street, Omaha.

"Dutch" Hall and James Watson were taken into custody by the police last night and held for investigation. The secret service officers stated that them of connection with the robbery of the First National at Twenty-third street and Broadway on the night of September 23.

Harry C. Miller, cashier of the South Omaha National Bank and Mrs. Miller who have been the most active on the scene since the first hearing Mr. Miller has taken in four years. They will be absent a month, and will visit New York, Boston, Philadelphia and Washington.

The police department yesterday received orders from the War department to turn over Oscar Barnett, the negro soldier deserter who recently left his command at Fort Omaha, to the authorities. The negro at Fort Omaha, Barnett has not been connected with the theft of the \$6,000 from the Fort Russell paymaster, and the local officials are inclined to believe he is innocent.

The meat market of W. M. Frazee, 208 Broadway, was reported to the police yesterday morning as having been entered by burglars during the night, when nearly a thousand dollars worth of game were taken. The thieves broke the cash drawer and found forty pennies. When they left they also took a new heavy single harness. The owner was unable to identify the game, who the police expect to bring to justice.

General E. F. Test is enjoying a visit from his son, Lieutenant F. C. Test, who has been stationed in the last two years at various points occupied by the military service in Alaska, doing special work for the department in connection with road building and the construction of telegraph lines. He has recently passed the mustering-furlough and at its expiration will return to his regiment, which is now located at San Antonio, Tex.

Matthew W. German has begun an action in the district court against the Omaha & Council Bluffs Street Railway company to recover \$2,000 damages for personal injuries claimed to have been sustained by "Pinkeye" Williams, who can't get away with a jerk while he was endeavoring to enter it, throwing him to the ground and causing him serious and alleged permanent disability. The case, which opened yesterday, does not tell when the accident occurred or where.

In police court yesterday morning Pat O'Brien, under arrest since Tuesday for shooting his wife, was arraigned on a charge of assault with intent to kill and was held for the grand jury under \$200 bonds. The action was taken at the suggestion of his attorney, Colonel John Lindt, of the 26th Cavalry, who said he would stand by him. He is accused of attacking Mrs. O'Brien with metal knuckles, which he denies. Mrs. O'Brien had to be sent to the hospital, is still suffering from a bad headache and swollen face and several fractured teeth.

William Shuster, who wandered away from his home nearly a month ago and for whom the police in a dozen cities have been looking, was arrested yesterday at Riverside, Cal. Mr. and Mrs. Watts left Council Bluffs in August for California with the intention of remaining there until the winter was over. He is in poor health when he left here, and the report received yesterday confirms the fears of his friends that the Southern California climate will not be good for his condition. As soon as he recovers sufficiently he will be able to travel Mr. and Mrs. Watts will return to Council Bluffs.

Success from start to finish is the verdict of the directors of the new school of Mann's newest and brightest offering, "Pinkeye, the Pinkeye Girl," at the Lehman theater Sunday, matinee and night. The stage is filled with dancing girls through melodrama, but it's not. It is what the critics termed it, a musical melodrama, carrying a company who know how to wear out a good show, and dance to a noisy band. Miss Lawrence who plays the title role of "Pinkeye," has several bright and catchy musical numbers.

The Board of Education will have a special session this afternoon to discuss the purpose of inspecting the Twentieth avenue school building, which has had some very material additions made to its equipment and room accommodations.

The inspection was done by architect J. J. Hughes and was all finished in ample time for use at the beginning of the school year.

The improvements also include a plumber who installed new toilets and new apartments in the basement for manual training. It is expected that these things and new ones will be added to the school.

As soon as the new buildings are completed to make the journey to the building.

Mary Spicker, who separated from her husband and immediately served him with divorce papers, is preparing to apply for divorce after he was arrested for the charge of breaking into Illinois Central cars, filed her petition in the suit yesterday. She makes no claim that the car belongs to him in fact, indicted for robbery, but has no claims for divorce upon the ground of extreme cruelty and drunkenness. She also states she is going to sue him for the pay as a switchman which was due him at the time of his arrest. They were married in this city October 16, 1901, and have one child, a boy, three years old. She also asks for all of the household furniture belonging to their home.

Fred Whisman, charged with appropriating potatoes allowed to belong to the Iowa City Fire Department, was freed on bail in a hearing before Justice Cooper yesterday when he showed that the potatoes were grown on land he had bought of H. G. McDonald, who is the victim of the same man who planted his land by mistake. Harry White, an amateur of the school, was arraigned before the same time charges with feloniously assaulting Whisman, but was freed on the same potatoes on his own land. Both cases were finally dismissed at the request of the defendant, who stated he would not have been punished for his attack upon Whisman which he denounced as exceptionally brutal.

The jury in the case of Jens Sonnenberg, 1600 West 26th, Mrs. Marie Roemer brought an action in the district court for damages and a permanent guardian appointed returned a verdict that he was of unsound mind, but had frequently wandered away from his home and could not live for long periods without communicating with his family. His son, Alexander Johnson, has been in Denmark for more than a year. The strongest evidence contained in the letters sent to his son came from far away Denmark, one of which explained that he had to go abroad by declaration. "I started to go to America last night and the next thing I knew I found myself in New York with a steamer ticket for Denmark." The court has appointed H. G. Medica as permanent guardian of the old man to care for his extensive property interests here. It is said that he will receive the degree of life liberty and that he should be given a lifetime decree makes him subject to confinement in an insane hospital without further proceedings.

Hot Beancakes and Coffee Served Free.

Cafe Hot Bean Steel Range now on

demonstration at our store. Hot Beancakes and coffee served free. P. C. De Vot Hardware Co., 208 Broadway. Phone 22.

Council Bluffs**RISING SUIT BEFORE COURT**

Federal Judge Hearing Dispute Over Claims of "Grabstaked" Men.

COURT HOLDS NIGHT SESSION

Attorneys Urged to Expedite Case in Order to Permit Closing Up Booklet as Early Date.

Judge T. C. Munger of Lincoln, who is judging on the September term of federal court for Judge Smith McPherson, took decisive steps last evening to expedite matters. He ordered the attorneys in the suit of W. L. Tanner against the individual members of the Frank Angus investment company, a Colorado corporation, to be ready to hold a night session of the court in the hope that the case might be concluded tonight. Yesterday was the second day of the trial and Judge Munger is beginning to grow impatient. Some of the attorneys, particularly Mr. Burkhardt of Omaha, who is looking after the interests of the plaintiff, demurred a little and suggested that perhaps some of the jurymen might have made social engagements in the evening. Judge Munger immediately questioned all of them and found only one who had made arrangements to spend a pleasant evening with friends, but that he would sacrifice his personal pleasures in the interest of the court. The order was then given for the trial to be resumed at 7:30 o'clock.

By agreement of the attorneys, the remaining equity case will not be tried to a jury. The jury had been summoned to hear the suit assigned for trial following the present hearing, but Judge Munger discharged them and remaining members of the petit panel not engaged on the remaining case.

The case on trial is of considerable legal interest on account of the prominence of the defendants. Dr. F. Barnes and J. C. Valdette of Walnut and G. E. Bourbon of Atlantic. Several years ago they "grabstaked" some mining prospectors who had held outuring possibilities of wealth in discovery and development of mines in Colorado. In the course of time the Iowa men were induced to form an incorporation under the laws of Colorado known as the Frank Angus Mining Investment company. The disgruntled miners soon exhausted their funds and their associates another small amount was advanced, but when it became apparent that the existence of the pay streak was very much in doubt the Iowa men refused to advance any more funds to the prospectors or the investment company. Their defense in the present action is that the prospectors were ahead and did a large amount of so-called "development work" incurring debts almost entirely for labor amounting to about \$6,000. Failing to get a settlement with the investment company, Tanner procured the assignment of all the claims to himself and brought suit in the Iowa federal court against the individual stockholders of the company, the three gentlemen named.

The evidence is largely of the nature of depositions taken in Colorado, but yesterday the plaintiff had two of the defendants as witnesses stand for a long and grueling examination, but in the cross-examination of his attorney, J. L. Preston of Sioux City, the man who was showing in their own favor, which will be further strengthened by their testimony in their own behalf. The defense only has three depositions and three witnesses and the case will most probably reach the jury.

ATTORNEY'S ERROR LONG AGO MAKES LAWYER WORK NOW

Clearing Title to Homestead Requires Considerable Work on Part of Lawyer Day Attorneys.

The misapprehension of a name and slightly misspelling it has required the owner of a little homestead in Council Bluffs to begin an action in the district court to hold the title to the property which he purchased many years ago and long held peacefully.

The suit was instituted by Sime Hansen against A. D. Robinson and the heirs of David Wilding, Jr., and involve the title to lots 18 and 19, in block 22, Central subdivision. Wilding died about twenty years ago leaving ten children. In 1881 his property was divided in accordance with his will, one-tenth going to each of the children. The property included the lots in question, which were sold, when the estate was partitioned, to Hansen.

It was at this juncture that the error in spelling the Wilding name crept in. The attorney who drew up the court decree of partition spelled the name "Wilden" all the way down and it went thus upon the court records. The error was not discovered until it was too late to correct it without a special court action. Rather than incur this trouble the attorneys agreed to permit all of the heirs to use their names as "Wilden" instead of the proper "Wilding." All of the ten children married and since the date of the settlement of the estate three of them have died intestate, leaving numerous heirs. Somebody has recently discovered the error that was supposed to have been covered up twenty years ago and have set up claims to Hansen's property. Hence the necessity of digging up the old papers and beginning the suit again. It required State Senator County Attorney D. L. Ross, attorney Hansen, a lot of research and hard work to hunt up all the facts necessary to clear the title.

For first class work, first class goods and reasonable prices see Jensen, Masonic Temple. He keeps all the latest and best wall paper and paints. It pays to see him first.

Real Estate Transfers.

These transfers were reported to The Bee Friday, September 23, by the Pawhuska County Abstract company of Council Bluffs.

G. W. Stahl and wife to Charles L. Grawford, lot 10 block 12, Council Bluffs, w. d. 200.

Amy C. Reed to Lizzie Ewing, lot 2, 20th and Court's add. to Council Bluffs, Ia. w. d. 200.

Thomas A. Clark to A. G. Decker, lot 28 block 4, in Pierce's subd. to Council Bluffs, Ia. d. 200.

Alexander Johnson and wife to A. G. Decker, lot 28, block 4, in Pierce's subd. to Council Bluffs, Ia. q. c. d.

Four transfers total. 200.

Do you know that we have a new king of mackerel in? Yes, indeed, at 35 cents each. Codfish, 15 cents each; dill pickles, 15 cents per dozen; new pancake flour, 10 cents per package; cranberries, the first of the season, 15 cents per quart; sweet potatoes, 20 cents per peck; blue plums, 20 cents per basket; pears, 20 cents per peck; peaches, 20 cents per basket; wax beans, 20 cents per pound. We also have real hammead bread, 2 cents per loaf, baked from Golden Rule flour, 20 cents per sack. Coffee has advanced, but we still sell the New York roast at 25 cents per pound. Quarts & 1/2, 20 cents.

Clothes of the Better Sort.

Clothes of the Better Sort.

Joe Smith & Co., 208 Broadway.

Council Bluffs**Rules to Govern Big Fruit Show**

Committee Formulates Regulations that Are to Apply at Horticultural Congress.

The committee governing exhibits and their space for the National Horticultural congress yesterday concluded its work. The committee is composed of W. S. Keeble, Robert H. Wallace, George F. Hammill and E. H. Boulter, but they have had the assistance of Dean Beach and Prof. Day formulating the rules which will govern all of the departments of the exposition. Following is a portion of the rules governing exhibition:

"Competition is open to the world unless otherwise stated."

"Each exhibitor must be a member in good standing of the National Horticultural congress."

"No blanks for exhibitors will be furnished by the committee, but each exhibitor will be required to prepare such specimens and attach one or two name and address labels and one general label to each specimen and exhibit as follows:

"The first communication received from the officers of the World's Panama Exposition company at New Orleans came yesterday, confirming the extensive telegraphic correspondence connected with the engagement of 20 feet of floor space at the third annual exposition of the National Horticultural congress at Council Bluffs this fall, in relation to the exhibit to be made by the letter received yesterday."

"The letter states that the exposition

committee will consist principally of

"photographers of New Orleans and Louisiana scenes and the booth decorated with Louisiana scenes and other painted scenes, etc."

"The letter states that the exposition

"will be open to the public from 10 a.m. to 10 p.m. daily."

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