

Council Bluffs

WILLS FILED FOR PROBATE

Mrs. A. Hoese Leaves Third of Property to Husband.

WILL OF DR. FANGLE IS FILED

This Leaves His Estate to His Children, but Widow's Dower Third is Undisturbed and This She Disposes Of.

Two wills were filed for probate yesterday disposing of the extensive property interests acquired by the late Dr. G. W. Fangle, founder of the Good Samaritan hospital. The wills, in a measure, clash with his original last testament of Dr. Fangle and the other is that of his widow, who married A. Hoese, the well known Omaha music dealer, a few months ago.

The first will was filed during the morning and was executed by Mrs. Hoese the day before her death, which occurred last Monday. It gives Mr. Hoese one-third of all of the property, real and personal, and the remainder to the three Fangle children. The will is very brief and was witnessed by Dr. A. V. Tubbs, Mrs. Hoese's physician, and L. Godsey, the nurse. It was written in ink by Dr. Tubbs on common note paper. It makes Mr. Hoese administrator of the will without bond and appoints him as guardian of the children, also without bond. It is dated July 23, and is said to have been prepared shortly before midnight Saturday night.

Will of Dr. Fangle.

The other will was prepared by Attorney J. J. Stewart, and covers several pages of legal cap. It is dated May 24, 1909. The first bequest gives one-third interest to Mrs. Fangle, and included all and every kind of property of which Dr. Fangle died possessed. It specifies that Mrs. Fangle's interest shall only be for life, and provides that in case of her remarriage that all of her interests are forfeited and revert to her children.

At the time the will was drawn there were only two children, Palmetto and George W., but the provision is made that any other children that may be born to them after the date of the will shall share alike in the two-thirds interest bequeathed them. Mrs. Fangle is named as administrator without bond. On July 17, 1903, a codicil was added confirming the original will and naming the third child, Annetta, who was born in the interim. This will and codicil are witnessed by Mr. Stewart and E. A. Morehouse.

Acting upon the application of Attorney Stewart, Judge Wheeler yesterday named H. G. McGee administrator of the estate of Dr. Fangle, fixing his bond at \$1000.

Attorney Stewart, who has done all of Dr. Fangle's business for many years and was counsel for Mrs. Fangle in the settlement of the estate, said yesterday that the provision of the original will by which the widow of Dr. Fangle voluntarily surrendered her interest in case she married again could not operate to cut her out of her right, and that whether she chose to accept it under the provisions of the will by remaining single or elected to claim it under the law giving her one-third as dower was a matter of her choice and that she had power to dispose of this third as she chooses. He said, however, that under the provisions of her will she had apparently given Mr. Hoese only one-third of her dower right.

No Disposition to Contest.

Mr. Stewart will today file another will which he prepared for Mrs. Hoese about a year ago and in which she gives all of her property to her three children. This was six months before her remarriage. He said he thought there would be no disposition on the part of the heirs to contest their mother's privilege to will part of the estate to her husband, and that her wishes in regard to the guardianship of the children would be faithfully carried out. Mr. Stewart said he thought there was no question about Mrs. Hoese's ability to make a will in the condition she was in a few hours before her death, and the witnesses, the family physician and the trained nurse, were competent witnesses.

TOM CARTER UNDER ARREST ACCUSED OF ROBBERY

Man Newshy of Council Bluffs is Charged with Entering Rooms of Mrs. Dickey and Looting Them.

Sherman Humphrey, the executive officer of Justice Hoese of Council Bluffs succeeded last night with the assistance of the Omaha police, in arresting Tom Carter, the "man newshy" of Council Bluffs, who has been sought since Monday, charged with one of the boldest robberies committed here for a long time.

He is accused of breaking into the home of Mrs. Rose Dickey, on Fifteenth street near Fourteenth avenue, Council Bluffs and stealing between \$400 and \$500 worth of property, including every article of her wearing apparel, a diamond pin, heavy gold Masonic emblem, a \$30 new tailor-made suit of men's clothing and a lot of other property. The wearing apparel included half a dozen silk dresses and silk waists, all of her winter and summer wraps and fifty handkerchiefs.

Mrs. Dickey conducts a fashionable cafe at Tenth avenue and South Main street in the Bluffs, and was at her place of business on Sunday morning when the robbery was committed at 10:30. Neighbors say they saw Carter and another man about the house and later saw them departing with two suit cases. When Mrs. Dickey returned later in the day she found the interior of the house completely wrecked. Every interior door had been broken down, furniture smashed and strewn over the floor. She had not an article of clothing left except that which she was wearing.

Humphrey located one of the men in Omaha late yesterday. Carter refused to come across the river without a requisition.

GIRLS WANTED—We can now give employment to clean, respectable girls, who wish to secure work in our factory for the balance of the year. We want girls for wrapping Woodward's Real Butter Scotch, Woodward's Pure Sugar Stick Candy and also a number of girls for packing fancy boxes. Girls who have had experience in chocolate dipping and other candy factory work can find employment. John G. Woodward & Co.

Pioneers Celebrate Anniversary



MRS. C. WILLIAM RAIN.

Mr. and Mrs. C. William Rain of Council Bluffs celebrated on Thursday the fiftieth anniversary of their marriage, and a gala day it was for the many relatives and friends of the aged couple who were present.

The day's festivities were held in and about the handsome new home which the rains have just completed. A pleasant



C. WILLIAM RAIN.

feature of the day was the presentation of \$25 to Mr. and Mrs. Rain. This was done by their 12-year-old grandson, Albert Rain, whose birthday falls on the same date as the wedding anniversary of his grandparents.

Both Mr. and Mrs. Rain are pioneers, he having lived in Council Bluffs since 1859 and she since 1860.

Minor Mention

The Council Bluffs Office of The Omaha Bee is at 15 Root Street. Both Phones 49.

Davis, drugs. Wedding silver at Leffert's. Carrigan's undertakers. Phone 143. For authority on watches see Leffert.

Dr. Cleaver, Bell-phone only, No. 147. FINE BEER AT ROGERS' BUFFET. Lewis Cutler, funeral director, Phone 57. Woodring Undertaking company, Tel. 369. PURE GOLD WEDDING RINGS—LEFFERT'S.

Call 142 for a case of Gund's Peerless beer. J. J. Klein Co., distributors.

When John O'Neill faced Judge Snyder yesterday on the old charge of intoxication his explanation brought him within the law defining vagrancy and he was sent down to the county jail for ten days.

Excelsior lodge No. 259, Ancient Free and Accepted Masons, will meet in special communication Saturday evening, July 29, at 8 p. m. for work in the Third degree. All master Masons are invited to attend.

Mrs. O. O. Smith, wife of Dr. Smith, pastor of the First Congregational church, will leave today for a month's vacation. She will go to Peoria, Ill., where she will visit her sister, Mrs. J. C. Bodine. She will be accompanied by her daughter, Isabelle, who will stop at Des Moines and be the guest of her sister, Mrs. Perdue, the eldest daughter of Dr. and Mrs. Smith. Both will remain through the August vacation.

The residence of M. Gibbons, 1420 Third avenue, was totally destroyed by fire which broke out at 2:30 yesterday morning. All of the members of the family were absent at the time. The fire started in the kitchen and was discovered by the neighbors was spreading throughout the building. The building and contents were practically destroyed. Gibbons carried insurance on the building and furniture to the amount of \$500, which will about cover the loss.

A \$400 driving horse belonging to a farmer named Brown, residing a few miles east of the city, was stolen yesterday afternoon, together with the runabout to which the animal was hitched. Brown tied the horse on the Main street side of the O'Connell store while he went inside to make some purchases. When he came out the horse and buggy were gone. A man was seen to untie it and drive away a few minutes after Brown entered the store. Constable Humphrey got a tip last night that disclosed the identity of the thief and expects to get him today.

With feelings of mingled joy and sadness the members of the First Congregational church will hold their closing service in the old building at the corner of Seventh avenue and South Sixth street tomorrow, when when services are resumed. August vacation they will be held in the new church on the corner of First avenue and Second street. The services for the first two Sundays in September will be held in the lecture room of the church and the auditorium will be formally opened and dedicated the third Sunday in September. Sunday morning the last communion service will be held and the pastor will speak. In the afternoon at 4:30 a new crowd of road riders will be held, which time Rev. G. G. Rice, the first pastor of the church, will give the message. The many friends of Father Rice and the church are invited to this service.

Mayor Maloney yesterday received a letter from Arthur Jackson of Chicago, president of the National Good Roads association, asking him to appoint delegates to represent the city at the fourth international good roads congress, which will be held in Chicago next month conjointly with the first international municipal congress. This joint congress is going to be important for the purpose of advancing the interests of the good roads movement.

President Jackson says Secretary of State Knox has written personal letters to each of the diplomatic and consular officers of the United States throughout the world, calling special attention to these congresses. The letter also requests permission to place Mayor Maloney's name on the program for an address or a paper on any day of the convention that will best suit his convenience. This made it necessary that he should designate himself as one of the delegates. He is requested to name six. The other five are, Drs. Treverton and Macroe, H. W. Binder, W. C. Children and H. A. Searle.

Mrs. M. L. Cleaver, wife of Dr. J. H. Cleaver, yesterday began a suit in the district court through her attorney, Thomas Q. Harrison, against the Omaha & Council Bluffs Street Railway company, asking \$2,000 damage on account of the actions of a street car conductor, who refused to honor a commutation ticket and compelled her to leave the car at the car barns. The incident occurred on last Sunday afternoon. Dr. and Mrs. Cleaver got on a car to go to Omaha. Before doing so he purchased two commutation tickets, making one in his own name and one in the name of his wife and at her request signed her name on the place required on the cover. After they got on the car the conductor took the books and looked at them, and noting that both signatures were evidently in the same handwriting refused to accept the book offered by Mrs. Cleaver. When the car reached the barns both Mrs. Cleaver got off and submitted the matter to the men in charge there. They in a measure sustained the conductor by pointing out the provision requiring the purchaser of the book to attach his or her signature and advised that it be sent to the general office for correction. They refused and Mrs. Cleaver has continued to use her book.

Glasses that fit at Leffert's, the big jewelry store, where you get the best for your money.

All leading bars sell Old Lager Anheuser-Busch Beer. Rosenfeld Liquor Co.

N. Y. Plumbing Co, Tel. 258. Night L-1702.

Father Files Suit For Injury to Girl

Sues Wabash Road for Damages as Result of Explosion of Railroad Torpedo.

Attorney Thomas Q. Harrison yesterday filed a suit against the Wabash Railway company, that contains the story of the severe injury to a little 4-year-old girl under conditions that bring forward sharply the liability of an employer for the acts of its employees.

On July 15, a year ago, Benjamin Noyes, a carpenter residing at 1214 Fourteenth avenue, was approaching the Wabash tracks where the lines cross Eleventh street and Eighteenth avenue, leading his little daughter, Velethe, by the hand. A number of track workers employed by the Wabash company were at work near by repairing the track and were using a hand-car, which had been left on the track not far from the crossing. On the hand-car were a number of torpedoes of the largest size. While the men were at work two boys, 10 and 12 years old, were playing with the car, pushing it backward and forward on the rails in plain view of the workmen. They found the torpedoes, and one of the youngsters took one of the largest size and placed it on the track close to the point where the sidewalk crosses. They were pushing the hand-car toward it when Mr. Noyes and his little daughter were approaching, wholly ignorant of the danger. The car hit the torpedo when Mr. Noyes and his baby girl were within four or five feet of it, the little one, holding the hand of her father, standing nearest to the point of danger.

The explosion that followed was terrific. Fragments of the heavy tin shell of the torpedo struck the child on the arm, neck and leg, and smaller bits cut through her clothing and penetrated her body. She was under the care of physicians for a long time, several surgical operations being required. The father alleges that the medical treatment cost \$300, and he asserts that the little girl is permanently disfigured and injured, the leg most injured having become permanently stiffened.

Damages for the injury are fixed at \$3,000. The case will be set for hearing at the August term of the district court.

SPECIAL GROCERY TIMPERS FOR SATURDAY—Fancy potatoes, peck, 40 cents; large basket, grown tomatos, 25c; fancy cucumbers, three for 15c; June apples, per market basket, 25 cents; Graham crackers, two pounds, 25 cents; laundry soap, ten bars, 25 cents; quart Mason fruit jars, dozen, 49 cents; extra heavy jar rubbers, three dozen, 25 cents; cream cheese per pound, 17 1/2 cents; country butter, pound, 25 cents; 60c Japan tea, pound, 45 cents; 50c grade coffee, pound 30 cents; also melons, plums, peaches, vegetables of all kinds, etc. J. Zoller Mercantile company, the big up-town store, 100-102-104-106 Broadway. Phones 320.

HOW WOULD YOU LIKE A NICE SPRING CHICKEN?—In our meat department, spring chickens, pound, 18 cents; three-pound pair, 35 cents; pickled lamb tongue, jar, 50 cents; deviled meats, can, 10 cents; also fancy cuts beef, pork, veal, mutton, fish, etc. J. Zoller Mercantile company, the big up-town store, 100-102-104-106 Broadway. Phones 320.

Real Estate Transfers.

Real estate transfers are reported to the Bee July 25 by the Pottawattamie County Abstract company of Council Bluffs: Annie M. Keys to Sarah M. Dean, 1/2 of lot 12 and lot 13, block 17, Mill addition, and 1/2 of outlot 6, all in Mill addition to Council Bluffs, Ia., w. d. \$14,500. F. W. Dean and wife to Annie M. Keys, lot 4, block 1, Jackson's addition to Council Bluffs, Ia., w. d. \$5,000. Helen E. Frisbie et al. to Ludwig Troell, lot 7, Aud's subdivision of 1/4 of sec. 9, T. 27 N., R. 27 E., 2000. Solomon Redfern to J. R. Chaloupka, lot 29 and 1/2 of lot 21, Halstead's addition to Carson, Ia., w. d. 400. Wm. G. Redfern to Solomon Redfern, lot 30 and 1/2 of lot 23, Railroad addition to Carson, Ia., w. d. 200. John M. Haskell and wife to L. L. Evans, lot 8, block 4, Sackett's addition to Council Bluffs, Ia., w. d. 1. Rufus Campbell to John M. Haskell, lots 3, 5 and 6, block 6, and lot 8, block 4, Sackett's addition to Council Bluffs, Ia., w. d. 1.

Eight transfers, total, \$22,107.

Won't you let us prove to you that we can clean and press garments better and cheaper than anybody else in Co. Bluffs? Just let us show you. Send your garments to the Bluff City Laundry Dry Cleaning & Dye Works. Phones 214. There is no garment too delicate for us to handle.

Attention, Water Consumers.

Water service will be discontinued Sunday, July 30, from 7 a. m. until late in the afternoon for the purpose of making repairs. The territory affected will be as follows: West Broadway from Glen avenue to Eighth street, North Main street from Broadway to Mynter, South Main street from Broadway to First avenue, Fourth street from Broadway to Story street.

Record Trout for the Hills. DEADWOOD, July 28.—(Special)—To William Highley of Whitecloud belongs the honor of having captured the largest speckled trout known to have been caught in any Black Hills stream. Mr. Highley landed a four-pounder from lower Spearfish creek, just below the town of Spearfish. The fish measured twenty-one inches in length. Mrs. F. Kenis hooked a four-pound rainbow trout in Spearfish canyon, which is the largest catch in that section.



Let This Be Your One Aim.

Buy land! Buy it now!

Every man should own a lot of land. Certainly every young man should own some. The opportunity is greater now than it has been in fifty years to realize on good property.

In the Bee today many tempting offers appear. People who acquired large estates are willing now that others may share with them.

Wide awake dealers are advertising these liberal propositions today.

Take advantage of it. Do it now! There is no possible way for you ever to regret it.

For further information regarding this property call Tyler 1000, or address The Bee Land Department.

Advertisement for A.A. Clark & Co. featuring loans on household furniture and other services.