

Council Bluffs

Minor Mention.

The Council Bluffs Office of The Omaha Bee is at 15 Scott Street. Both Phones 43.

Davis, drops. Leffert's, options. Have Murchison endorse it. Corrigan, undertaker. Phones 143.

For authority on watches see Leffert. FAUST BEER AT ROGERS' BUFFET. Lewis Cutler, funeral director. Phone 5.

DR. ROSE H. RICE, Bell phone only. Woodring Undertaking company. Tel. 323. SCHOOL SUPPLIES of all kinds. Fable Art Shop, 33 Broadway.

Get those phone calls at Kuhn's studio 14 So. Main St. (See under "Phone"). Edwin G. Clements filed a bond yesterday in the sum of \$100 as guardian for his brother, Roy Clements.

Miss Maudie Miley, 107 Avenue E, was painfully hurt last evening when a carriage in which she was riding with three other friends overturned. The accident happened at the corner of Avenue B and Twenty-fourth street and was caused by the driver trying to make too short a turn.

Mary H. Patton, who owns a large tract of land north of the city, secured a writ of temporary injunction from Judge Woodruff yesterday restraining Mr. and Mrs. P. W. Wakenow, Belle Scott and Ray Worman from in any manner trespassing upon her property or using a private driveway through her land.

The auditorium company yesterday renewed the lease for the use of the building as a skating rink, which has been leased for the last two years by Mr. Williams. Mr. Williams will open the rink this evening and will conduct it in the same clean manner that characterized his management in the past.

Ernest Brown and Bonnie Clinger-Smith of this city were married in Omaha Wednesday morning. The bride is the daughter of Mr. and Mrs. B. C. Brown of 28 Benton St. and the groom is the son of Mr. and Mrs. Fred Clinger-Smith, 615 Seventh avenue. They will make their home with the bride's parents.

The three runaway boys from Casey, Ia., Max Jefferson, Otis Walters and Jesse Kite, were yesterday reported to have been seen in Lexington, Mo., about 200 miles west of Omaha. The boys were still headed westward. The offer of \$50 reward for their detection has resulted, it is believed, in their capture.

James Meeks, proprietor of the State hotel who notified to return directly from Denver after being there to take care of the body of the father of Mrs. Meeks, returned home yesterday, definitely contradicting the story that he had mysteriously disappeared. Mrs. Meeks, who went to Wyoming to find her husband, was looking after a ranch property, returned with him.

Rev. O. O. Smith returned yesterday from his vacation which he has made the greater part of August and which has been most beneficially enjoyed. He will resume his work in connection with the pastorate of the First Congregational church and will occupy the pulpit tomorrow. Owing to the removal of the old church on South Sixth street and the incomplete condition of the new church, services tomorrow will be held in the Young Men's Christian association gymnasium. This will include also the Sunday school. He is anxious to have every member present at the first service after the church's vacation.

When Herman Fisher, 65 years old, returned from Omaha with a gallon jug of whisky, dropped the jug on the sidewalk on Pearl and Broadway while in the act of changing cars and then fell in a faint at the sight of the police. He was taken to the hospital and died there yesterday morning. Fisher was taken to the hospital and died there yesterday morning. Fisher was taken to the hospital and died there yesterday morning.

When Mrs. Edward M. Ouren, whose husband is a bookkeeper well known in commercial circles, was awakened by a burglar trying to remove the screen from a window late at night she got up and although she was alone in her home at 235 Avenue A at the time, she coolly drew a revolver and stepped up close to the window and watched the man work for a brief moment. This time she fired a few inches above his head and fired a cannon and in the still night air like a man. He fled immediately and disappeared. A man passing the house at the time saw the flash and saw the man flee from the rear. He saw the burglar fleeing from the dangerous window and saw him joined in his flight by another man. Mrs. Ouren remained on watch in the hope that the man or men would return and shoot again. The next time she intended to do better than shoot to scare.

SAM SNYDER LOANS MONEY on household goods, horses, cattle and all chattel securities at a big discount of the usual rate. Office over 330 West Broadway.

Mountain valley spring water from Hot Springs, Ark. Sold in half-gallon bottles. Rosefield Liquor Co., 512 S. Main St. Tel. 323.

N. Y. Plumbing Co. Tel. 350. Night L-1702.

Council Bluffs

LANA DITCH CASE IS IN COURT

Judge Woodruff Spends Day Trying to Get Facts as Presented.

EVERYTHING HINGES ON THE BID

Validity of the Action of the County Board in Establishing the Ditch is Attacked by the Attorneys.

Upon the decision of Judge E. H. Woodruff depends the possibility of James M. Lana, head of the Lana Construction company, to collect a large part of his pay for digging nearly one-half of the Niobrara drainage ditch, that extends from Oakland to the Mills county line, which according to the engineer's original estimate, involved a cost of about \$7,000.

Mr. Lana secured the contract from the county supervisors upon the bid to do the work, "at 1-100th per cent of 1 cent below the lowest bid." The lowest bid, filed by Sternberg Brothers of Council Bluffs, was 8 cents per cubic yard, and the board awarded the contract to Lana. In the face of legal objections Lana has gone ahead with the construction work. Judge Woodruff in the district court is now engaged in hearing the original application for an injunction made by J. M. Pullen, one of the farmers whose land is involved.

Last spring, after the board awarded the contract to Lana, Pullen applied for writ of temporary injunction, which was granted by Judge Wheeler. The case was heard by Judge Woodruff, who held that the contract was void and that the bid was not a bid. He granted the injunction. By an oversight a bond was not required from Pullen, and the oversight was not noted until after Judge Woodruff had left Avoca for Red Oak. The same evening Judge Woodruff left, Attorney Preston of Avoca followed him to Red Oak and secured the order for the bond. It required Pullen to file a bond of \$2,500 within three days from date of receiving notice, with the provision that if he failed to do so the temporary writ issued would not be operative. Pullen failed to do this, and the county board, calling a special meeting to advertise for new bids, ordered Lana to go ahead. In the meantime suits were instituted attacking the validity of the action of the board in establishing the ditch. The question of the establishment was decided in favor of the board and in one of its rulings, Judge Wheeler expressed opinions that were taken by the legal advisers of Lana to be a tentative confirmation of his contract. Lana secured an agreement signed by a majority of the land owners that they would pay the costs of the ditch construction through their lands, and this stipulation was filed with the board. Contrary to the convictions of the members of the Board of Supervisors, the failure of Pullen to comply with the order to file a bond and the consequent setting aside of the temporary writ did not dispose of the case, and it is this original case that is now being heard.

The entire day yesterday was devoted to it without completing it. If Judge Woodruff holds the Lana contract to be void, all of the land owners who have not signed the agreement to pay will not be obligated and Lana will have to look to the others. If the contract is declared illegal and Lana is permanently enjoined from working under it, Lana will be obliged to re-advertise for bids. If Lana again files the lowest bid, the objectors will take the position that the work done was under an illegal contract and will refuse to pay.

Real Estate Transfers. The following transfers were reported to The Real Estate Bureau by the Pottawattamie County Abstract company, Council Bluffs:

Stella M. Sacrett and husband to Robert H. Sacrett, 31-74-4, w.d., \$1,000. Sarah E. Macrae and husband to Victor H. Macrae, 8 and 17, and 22 ft. of lot 7 and 18, block 2, Glendale add. to Council Bluffs, 4,900.

F. J. Day and wife to Elizabeth M. Evans, lot 2, in Benjamin Fair add. to Council Bluffs, 2,000. Reuben Woodman and wife to James C. Stone, 10-14-0, w.d., 1,100.

William Arnd and wife to W. R. Thacker, lot 4, in Fleming & Davis' add. to Council Bluffs, 2. Total (five transfers) \$10,020.

Notice to Engles. All of the members of the order are commanded to meet at the lodge hall at 10 a. m. Monday, September 4, to take part in the carnival parade. Those having uniforms are expected to wear them. By order of the president.

Amateur photographers wanting best results get finishing done at Kuhn's studio, 35 S. Main. Council Bluffs, Open Sundays.

FORT DODGE BUSINESS MAN MAKES CHARGES. Alleges in Suit He Was Forced to Sign Away Property in Midnight Court Session.

FORT DODGE, Ia., Sept. 2.—(Special Telegram.)—H. J. Bryson, a prominent business man of this city, defendant in a sensational suit, proceedings instituted against him by his wife, today filed a counter suit with sensational charges of extortion which involve Attorney Wilbur Stowe and Floyd Douglas and Justice H. E. Busby.

Bryson denies the charges and alleges a gross invasion of his rights during a midnight session of Justice Busby's court, whereby through duress and extortion and through his own ignorance of law he was compelled to make an assignment of his property to the prosecution on an infidelity judgment. The case will be tried before Judge Albright Smith.

You can enter the Booklovers' Contest any time before its close.

California wines, 50c per ct. Kentucky whiskies bottled in bond, 12 per ct. Rosefield Liquor Co., Tel. 323.

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Lights Turned on Carnival Grounds For the First Time

Scene of Unusual Brilliance Results from First Electrical Display as Tryout.

The carnival grounds were lighted last night for the purpose of testing out the circuits. The work was so well done that only a few trivial short circuits were developed in the entire system. The effect of the myriad lights was surprisingly brilliant and caused many expressions of pleased surprise.

The big opening on Monday afternoon. First avenue was closed to public traffic yesterday afternoon and the work of installing the sides of the park with the canvas fencing was begun. It will be finished probably today. Many of the merchants were working yesterday on their booths, and all will be ready to start toward the decorations. It is quite probable that the Sabbath will receive some slight dents, owing to the necessity for work by business men who can find no other time to supervise it. But tonight little will be left to be done.

The dancing pavilion will be finished today and the floor made ready for use. The pavilion is located on the vacant lot forming a part of the Wright home opposite the southwest corner of the park. It covers the whole of the lawn and will be the largest dancing floor in the city with the exception of the auditorium.

Much secrecy is being attempted by the various merchants and organizations to prevent knowledge leaking out concerning the character of the floats they are preparing. Some of the designs are very elaborate and all will be attractive.

A list of the special features that will be included in the Parker shows was received yesterday. One of the stirring features will be the high dive, where a fellow jumps from the top of a fifty-foot mast and strikes on his chest on the surface of an inclined plane, polished and smoothed with talcum powder. This turns a double somersault in the air and lights on his feet far away. This and the Aero bars and the Alaskan mystery will be free and will be located in the park. A list of the shows follows:

Pharaoh's Daughter. Five in One. Crazy House. Outlaws. Human Roulette Wheel. Bovine and Equine Obituary. Trained Ant. Bull show, vaudeville show and side show.

Another batch of fire balloons was sent up last night bearing scene carnival tickets. They were chased by about fifty boys on bicycles and a number of them recovered.

One of the most lavish scenic productions ever sent out of Chicago or New York is that of "The Prince of Tonight," by the Adams, Hough and Howard musical fantasy, in which Mort H. Singer will present Henry Woodruff at the Doherty theater Sunday night. It consists of four gorgeous scenes, contained in three acts. The first act shows the famous part, "The Prince of Tonight," at Palm Beach, Fla., which is later changed in a wonderful transformation effect into the beautiful Delit forest in the mythical land of Lullaland, where Henry Woodruff, as the prince, reigns for the night.

The second act shows a magnificent household during the progress of the water fete, and the third act the shore at Palm Beach.

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Iowa

IOWA FAIR COMES TO CLOSE

Comfortable Cash Balance in Hands of Board at the Finish.

HARROUN IN EXHIBITION RACE

Goes Two Miles in Pretty Contest as Thriller for Crowds—Aeroplane Refuses to Go Up as Scheduled.

(From a Staff Correspondent.) DES MOINES, Ia., Sept. 2.—(Special Telegram.)—The Iowa State fair came to a close last night with the last of the special night shows. In the afternoon a special race had been arranged between an aeroplane and a motor car, but the aeroplane men refused to go up at the last moment.

Ray Johnson gave an exhibition speed race and he and a car had a two-mile race which was exciting. The attendance at the fair on the closing day was excellent, considering the large crowds of the week, and the Board of Agriculture is left with a handsome cash balance.

Race from Chicago to Des Moines. Agitation for an aeroplane race from Chicago to Des Moines has been started. If the citizens of this city can raise \$4,000, an aeroplane race will be arranged between a French and an American machine between here and the Windy City. The matter has been laid before Gels Botford, secretary of the local Commercial club.

Each of the two machines will start from Chicago together and the first aviator to land in Des Moines will be declared the winner. The flight is to be under the auspices of Chicago parties and the American will offer a cup and \$10,000 purse.

Eacher Heads Beef Producers. The Iowa Beef Producers' association was formed at a meeting of well-known cattlemen last night and Charles Ebecher, Jr., of Botina, Ia., has been named the president. James Shade of Kingsley is vice president.

New Catholic School for Boys. Des Moines is to become the seat of a great academic school for boys and young men as the result of the diocesan division of Iowa, which will make Des Moines a see city of the Roman Catholic church.

The school is to be preparatory to Notre Dame and is to be located on the site of the new school which is the property owned by St. John's parish in University Place.

Powder Burns Show Man. Jack Albrecht, one of the cowboys at the Wild West show at the Iowa State fair, was seriously burned in a powder explosion yesterday afternoon. Albrecht was smoking a cigarette in too close proximity to a can of powder. The explosion burned both arms from the shoulders to the finger tips and showered over his face.

More Than Three Hundred Arrests. Over 300 arrests were made by the Des Moines police force during the twenty-four hours of the sixth day of the Iowa State fair. Some 200 drunks were included. About twenty-five women, young and old and of assorted colors, were nabbed and charged with street walking and vagrancy.

BIG TIME FOR SPEAKER CLARK. Davenport Democrats Will Give Him Great Reception on Labor Day.

DAVENPORT, Ia., Sept. 1.—(Special Telegram.)—Speaker Champ Clark is to be lionized by local democrats when he comes to Davenport to deliver the Labor day oration. A reception committee of 100 leading citizens has been appointed to arrange for a public reception to Mr. Clark at the Hotel Davenport Monday evening.

Taunts Drive Frisbie to Fatal Aerial Trip at Agricultural Fair. Curtis Aviator Killed in Second Accident in Two Days at Norton, Kansas.

NORTON, Kan., Sept. 2.—John J. Frisbie, the Curtis aviator, was killed by a fall at the Norton county fair. Frisbie met with an accident yesterday and only went into the air again today when he was again killed by a fall from the machine.

Frisbie fell about 100 feet and the engine of his machine fell upon him, crushing his left side and chest. He lingered for about an hour before he died.

Frisbie has been giving exhibitions in Elmwood park for several days. Yesterday his machine acted badly and he had a fall of about forty-five feet, but beyond bruises and a shaking up was not injured.

He was skeptical about the ability of his machine to stand another flight today and announced that he would not take the air this afternoon, but when this statement was communicated to the crowd there was an angry demonstration. The spectators hooted and shouted, "Faker! Faker!" and refused to listen to explanations.

Mr. Frisbie announced that rather than have the big crowd go away with the impression that he was not willing to do his best, he would attempt a flight. He ascended from the track without difficulty and attained a height of 100 feet, but in attempting to make a turn the plane tipped and Frisbie lost control as he was crashing to earth the spectators could see the aviator attempting to right the machine.

But as it approached the ground one of the wings crashed into a barn and the biplane glancing off, struck the earth with Frisbie underneath.

Frisbie's wife, son and little girl witnessed the accident. Mrs. Frisbie being prostrated when she saw her husband fall. Tonight she bitterly denounced the action of the spectators in forcing her husband to make the flight with a disabled machine.

Frisbie is well known among the aviators, having flown at Belmont park and being a participant in the recent big meet at Chicago.

Captain Frisbie's machine was the one built in Omaha by Charles and Gus Bayardorfer and which was taken from here by Captain Frisbie when he was in Omaha last spring in company with the Moisant aviators. Charles Bayardorfer has been with Captain Frisbie since the aviation meet here this year.

This aeroplane is the one Captain Frisbie used to make the quick starting record at Belmont park and which he won the bomb-throwing prize at the meet. He has had several falls in it, one while learning to handle it and others when he went up in the air in dangerous times. He had a reputation for "carelessness in ascending in bad winds."

Frisbie was a light-built man, sandy hair and moustache and very neat in dress. He made many friends here in the week he was in Omaha by his pleasant personality.

Falls Out of Biplane Seat. UTICA, N. Y., Sept. 2.—G. G. Hubbard of New York, flying a Curtiss biplane at Keosauqua, Friday lost his seat while trying to make a landing and fell thirty-five feet. He was badly hurt but probably will recover. The plane was greatly damaged.

Foreclosure Suits

Against Lewis

Mortgages on University City Property Amounting to \$838,250 Must Be Satisfied.

ST. LOUIS, Sept. 2.—Foreclosure suits were filed in the United States circuit court today by mortgagees asking that three pieces of real estate owned by E. G. Lewis companies be sold to satisfy mortgages. The property consists of one tract of sixty-eight acres of improved property in University City, the Woman's Magazine building and the real estate it occupies and the Woman's National Daily and its real estate. The mortgages covered by today's suits aggregate \$838,250.

OREGON EXPRESS IS HELD UP

Negro and White Companions Blow Safe and Escape. BANDITS JUMP INTO MACHINE

Car Starts Toward Densely Wooded District of Dunsmuir, Cal.—No Person Injured During the Holdup.

REDDING, Cal., Sept. 2.—Three robbers, one a negro, held up the southbound Oregon Express on the Southern Pacific railroad a mile and one-half north of Lamonte, forty miles north of Redding at 9 o'clock last night. They blew both safes in the express car, rifled them and escaped.

In their escape the three men were accompanied by two other robbers, who had been riding on the roof of the car. No one was hurt. The value of the booty has not been learned.

The robbery was reported at Delta, Cal., by Conductor Dickey within fifteen minutes after it occurred. A special train immediately was prepared at Dunsmuir, Cal. and left with a posse aboard. Sheriff Montgomery of Tehama county also was informed and another posse was picked up by a special at Red Bluff. A third posse was organized at Redding and joined the Red Bluff men. A battle with the bandits, who fled to the forests to the west, is expected.

The robbers boarded the train as it stopped on a siding at Gibson, near Lamonte. When the train got under way three of them worked their way into the express car, holding the messengers at bay with revolvers. Only one of the bandits, the negro, was masked. They blew the safes and at the sound of the explosion the train slowed down. The robbers grasped what they could lay hands on and jumped into the darkness where their two companions joined them.

A brakeman on the train says the men leaped into an automobile which headed for Dunsmuir, a densely wooded district. This is believed to increase the chance of capturing the bandits.

The negro is described as being five feet six inches tall and weighing 150 pounds. He wore a black slouch hat. One of the white men was slightly taller, had a sandy moustache and wore blue overalls. The third man was of medium height and wore a gray suit and gray slouch hat. No description was obtained of the men who were outside the car.

The first special train was not due to reach the scene of the robbery until after midnight.

Wife Shoots Stepson, Husband and Herself. Mrs. Paul Anderson of Kimballtown, Ia., Crazed by Jealousy, Enacts Tragedy.

KIMBALLTOWN, Ia., Sept. 1.—Mrs. Paul Anderson, 22 years old, today shot and killed her 8-year-old stepson and then set fire to the house on which he had fallen, burning the house to the ground. Her husband, seeing the flames, rushed toward the house in an effort to rescue the child. He was shot and badly injured. The woman later attempted suicide by shooting. Both will recover.

Mrs. Anderson was arrested following the shooting and hurried to Audubon, where she was placed in the county jail.

This trouble followed a quarrel today between Anderson and his wife, at which the county attorney and the sheriff intervened. After the departure of the officers Mrs. Anderson called at a neighbor's house, later returning with a revolver. Jealousy is said to have been the cause of the tragedy.

New Nebraska Coach on Hand for Work. Realizes Nebraska Has Big Task Ahead on Gridiron This Year.

LINCOLN, Neb., Sept. 2.—(Special.)—E. O. Stehm, elected to the all-year coachship at the State university, arrived in this city yesterday from his home in Wisconsin. He will begin at once to make the preliminary arrangements for the coming football season.

"Nebraska has a mighty hard schedule this year," said the new coach today, "and although I am not thoroughly in touch with the Missouri Valley situation, I can see that we will have to work hard at Nebraska to make a showing against Minnesota, Michigan, Kansas and Missouri with all of which schools we have games scheduled."

The new coach plans to get in touch with all prospective Nebraska men at once to the end that all may be on hand for the first practice, which is planned to hold September 25.

Governor Aldrich Makes Clean Sweep at Soldiers' Home. Commandant Howard's Place Will Be Taken by W. L. Hilyard of Superior.

LINCOLN, Neb., Sept. 1.—(Special Telegram.)—Governor Aldrich today announced the dismissal of the entire management of the Milford soldiers' home. The order will become effective September 10. At that time Commandant Howard's place will be taken by W. L. Hilyard of Superior. Adjutant Crawford's place will go to W. H. Crites of Central City and Mrs. Mary Baum will become matron. The latter place was virtually vacant, as Mrs. Downs, who was to have taken it today, refused to do so. The change comes as a result of many complaints which have come from the institution within the past four months.

MOVEMENTS OF OCEAN STEAMERS. Port. Arrived. Sailed. City.

LIVERPOOL.....Emp. of Ireland. Liverpool. Liverpool. Liverpool.

NEW YORK.....Emp. of Ireland. New York. New York. New York.

QUEENSTOWN.....Emp. of Ireland. Queenstown. Queenstown. Queenstown.

Most Unique Popular Newspaper Feature of the Year The Bee's Junior Birthday Book

Every day The Bee is printing the names of boys and girls in Omaha who are celebrating their birthdays, day by day telling when they were born, where they live, and what schools they are attending.

Our readers can readily keep track through the birthday book of the anniversaries of their little friends, of the children of their neighbors and of their children's playmates.

Every boy and girl in Omaha is watching The Bee to see what other boys and girls are having birthdays on the same day with them.

The interest of the birthday book is likewise heightened by being illustrated with reproduced portraits of one or more of the day's birthday boys or girls.