

Council Bluffs

Minor Mention

The Council Bluffs Office of The Omaha Bee is at 15 Scott Street. Telephone 48.

Davis, drugs. Laffert's, optician. H. Horwick for wall paper. Corriane, undertaker. Phone 143. Gensline-Victoria, R. A. Hoop. Co. Xmas Gifts-Fauble Art Shop. For authority on watches see Laffert. F.A. BEER AT ROGERS' HUFFPST. Woodring Undertaking Co. Tel. 366. Lewis Cutler, funeral director. Phone 97. For Rent-Modern house, 123 Sixth Ave. Every Victor record in stock at A. Hoop Co.

Printing and binding well done. Morehouse & Co. BIG SALE ON FRAMED PICTURES today at Fauble Art Shop. Found-A gold ring. Lyles Head, Odd Fellows temple. Phone F-342.

Eyes tested and glasses fitted. Laffert's, restorer optician, 92 Broadway. We give premium coupons at The Puff, 60 Broadway. Clairs and tobacco. Merchants' lunch, 35c, at Tony's cafe, 11 South 24th. A good place to eat. Securely framed Xmas and Christmas presents. We do not charge holiday prices. H. Horwick, 211 S. Main St.

For closure sale of two horses weighing 1,500 and 1,600 lbs. KUTLER'S. RESTORER OPTICIAN, 92 Broadway. We give premium coupons at The Puff, 60 Broadway. Clairs and tobacco. Merchants' lunch, 35c, at Tony's cafe, 11 South 24th. A good place to eat. Securely framed Xmas and Christmas presents. We do not charge holiday prices. H. Horwick, 211 S. Main St.

CARVING SETS-We sell the celebrated STEEL EDGE CUTTING KUTLER'S. MAKES PRICE UP FROM \$1.00. P. C. DeVal Hdq. Co., 94 Bdwy. William Page and Della Thompson, both of Des Moines, are the only marriage license issued here yesterday. They gave their ages as 23 and 25, respectively.

If you want GLASS or GLASS and Mirror Works, 1714 West Broadway. We make a specialty of GLAZING at low prices. RALPH BRYANT, 1714 West Broadway, on household goods, horses, cattle and all chattel securities at a big discount of the usual rates. Office over 23 West Broadway.

Excelsior lodge No. 25, Ancient Free and Accepted Masons, will meet in special communication Saturday afternoon at 7 o'clock, at the residence of Mrs. W. C. Work. Banquet will be served at the close of the session.

City Solicitor Kimball last evening filed a motion for an abatement in the suit of Charles E. Carlisle against the city, in which the jury gave the defendant a verdict of \$100,000. The abatement is denied. It will be carried up to the supreme court again.

Mr. P. Mills, assistant state accountant, who is being tried by Judge C. A. Nelson, examined the records in the county office, was suffering considerably yesterday from the effects of the heavy rain received when he attempted to walk on thin ice across a darkened air chute in the county building and into the basement, a distance of about twelve feet. He was still tottering at his work, but was manifestly suffering.

Mrs. Mary E. Loper, sister of Willard Loper, who was killed in the Northwest yards Thursday morning while in the discharge of his duties as a switchman, died at the home of her sister at 924 Fourth avenue, last evening of heart failure. She was 47 years of age and had been an invalid for four years. She was a member of the Woman's auxiliary of the Union Veteran legion and the Fifth Avenue Methodist church. The remains will be taken to her home, 329 Ninth avenue, today and buried in the cemetery at 10 o'clock.

Marius Olson, 40 years of age, was held by Judge Snyder in police court yesterday morning under \$50 bonds to appear for trial this morning on the charge of grand larceny. His accuser is his uncle, Christian Olson. He says the young man came to his father's home just north of the city, and during the absence of the family found the keys to the house and stole the money. The incident happened about a week ago, but sufficient proof for the arrest was not secured until yesterday.

Articles of incorporation have been filed by the two local lodges of the Knights of Pythias, which will permit them to erect a new fraternal building in this city. The capitalization is fixed at \$50,000, which may be increased if a larger and finer building is decided upon. The officers and incorporators of the association are: D. A. Moore, president; Clem F. Kimball, vice president; E. Abbott, secretary, and J. B. Whitney, treasurer. The directors, who are to be chosen by each lodge and the stockholders as a whole, are to consist for the first year of Brandt Crocker, C. A. Tibbitts, H. C. Thomas, Ray Cook, R. J. Culver, A. Moore, Clem F. Kimball, E. Abbott, Whitney and E. J. Abbott. These nine together with F. G. Knowles, B. C. Beaumont, R. J. Bradford and O. M. Jensen are the incorporators of the company.

The first prosecution under the new automobile ordinance, approved by the city council recently, was instituted yesterday. It involves the section prohibiting any person driving a motor vehicle to operate an automobile except when accompanied by the owner. A. H. Read is the complainant and the youthful driver is Charles Johnson, a little negro boy who has long been chauffeur for Dr. O'Keefe. It is charged that he drove over the little son of Mr. Read last summer. Mr. Read happened to notice the youth again driving the car and saw him half a block at the juncture of Pearl and Broadway. He immediately filed the required complaint, which will prevent the boy from running the machine except when accompanied by his father. The lad is so small that to use the foot brake he is compelled to sit so low in the seat that he cannot see over the radiator, and for this reason is said to have many narrow escapes from avoidable accidents.

V. D. Bunkle, steward at the Iowa Soldiers' Orphan's home at Davenport, arrived in Council Bluffs yesterday for the purpose of taking back the two boys, Eddie Patton and Frank Erwin, who ran away from the institution and hopped their way across the state, reaching here in a pitiable condition. The Patton boy's feet were so badly frozen that he was taken immediately to Mercy hospital for care and treatment. For a time it was feared he would lose the injured members, but the excellent medical and other care he receives have resulted in restoring him to a condition that will permit of his being taken back. Neither of the youngsters has made a complaint of bad treatment at the home, but on the contrary, both have spoken in the highest terms of the kindness that has been shown them and the fine home they had. The only explanation given was that both got tired of the place and grew so homesick that the temptation to run away became so strong to be overcome. Mr. Bunkle will take the boys back to the Orphan's home at the Creche and the other is still in the hospital.

Council Bluffs Produce Market. The following quotations, showing prices paid to producers, are collected daily by William Higginson, city watchman, for publication in The Bee: Corn, 40¢ per bushel. Wheat, 90¢ per bushel. Oats, 45¢ per bushel. Hay (loose), \$1.00 per ton. Alfalfa (loose), \$1.00 per ton.

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MARKS CASE UNDER WAY

"Mike" Nelson of Alma, Mich., Narrates Swindling Story.

ADmits KNOWLEDGE OF PLOT

Brought Out Fake Horse Race Run on Property of Street Railway and Swenson Pashed Suits Against Hart.

Taking of testimony was begun yesterday afternoon in the Marks case, which was resumed at the opening of court at the morning session after an adjournment since Wednesday to permit Attorney General Cosson to attend the funeral of his father-in-law at Indianapolis.

Contrary to expectations, Mabray, the star witness of the attorney general, was not put in the witness chair at the beginning, but one of the "mikes" told his story. The features of his testimony were that the fake horse race was not run on the estate of Benjamin Marks, but on the property belonging to the street railway company near Manawa, and that Postoffice Inspector Swenson was one of the instigators of the civil suits brought in the federal court against Marks, the First National bank, Ernest E. Hart and J. J. Spindler, and which were thrown out of court by Judge Smith McPherson.

Marks to Receive Percentage. The greater part of the day was consumed in the presentation of the case to the jury. The attorney general required an hour or more to forewarn the witness, which he said, would show that Marks and others had guilty knowledge of the operation of the Mabray gang and was to receive a percentage, variously stated at from 2 to 8 per cent, to secure the non-interference of the city and county officials.

In an address of even greater length Attorney John P. Organ told the jury the defense would show that the conspiracy alleged was great enough to cover the whole country and dozens of cities, but that the conspirators could not have had the number of local men in each place in collusion with them unless they had given up all of the products of their shameless robberies. He intimated that Postoffice Inspector Swenson would be drawn into the case in a manner that would show he was acting outside his official duties and that he had not come here first as the representative of the government, but as an agent of one of the "mikes" in an effort to recover his money.

Collusion to Involve Hart. Attorney General Cosson vigorously objected to the statement, and Mr. Organ retorted that the defense would show that there was a collusion between Mr. Swenson and the attorney general for the purpose of involving National Committeeman Ernest E. Hart, the First National bank, J. J. Spindler and others. The attorney general was on his feet shouting his objections, but Judge Arthur refused the ruling demanding their exclusion from the jury. The jurymen evinced great interest in the spirited controversy.

Tells Story of Lure. The first witness called was C. A. Nelson, a typical down-east Yankee, who said "now," and "town," and "I guess," with native fluency. He is 54 years old, and has long been engaged in the chattel loan business at Alma, Mich., where the Mabray "steerer" encountered him. The old man's sharp-featured face indicated that he was accustomed to driving sharp bargains, and he was led along to detail the story of how he was lured to Council Bluffs with the prospect of securing the big percentage of the money that was to be taken from the alleged "millionaires" through conspiracy with the alleged private secretary.

He told the story that every mike has told in answer to the questions of Mr. Cosson, but he went deeply into the moral aspect of the transaction when he was undergoing cross-examination by Mr. Tinley for the defense. In the end he proved a strong witness for Marks.

Securing the Stake. He told about coming to Council Bluffs accompanied by his steerer, B. Adams, when Adams had unfolded the scheme to him of the ease with which the Pittsburgh millionaires could be robbed of a large amount of money. He told of coming here and meeting the alleged private secretary, and talking over the plans to rob the confident Pittsburghers. Nelson admitted that it looked so good to him that he went back to his home with the promise that he would bring back \$25,000. Instead he returned with a letter saying he was a responsible business man. This was not sufficient for Colonel Mabray, the private secretary of the Pittsburgh millionaires, who wanted nothing but cash. He made a third trip to Alma, requiring nearly forty-eight hours constant traveling, and came back with only \$2,000 in the shape of a Chicago draft, which he deposited in the Commercial National bank in this city. He admitted that the conspiracy he entered into required him to do the betting and that he bet the combined capital of himself and the alleged secretary over and over, and that he helped to have his confederate chosen stakeholder for this purpose.

\$37,000 in Jackpot. His capital amounted to but \$5,000, and as all bets were in \$5,000 blocks, it was easy for the stakeholder to get into an adjoining room, to slip back the original bunch for him to bet over again. He admitted that, fearing detection, he suggested that his draft be cashed in large bills and some of the smaller bills exchanged for larger and that he secured a recess in the betting until he slipped out to make the change. He said that his \$5,000 was bet so many times that the jackpot held \$27,000, and then after the usual dispute about there being \$200 short the race was run. He said they all went to the bridge half a mile north of Manawa and broke the mile from a gate leading into the property of the street car company, where the alleged race was run on a road through the field. When "Red Lee's" rider was "fatally" injured and they all had to skip to avoid arrest for "murder," he admitted that he agreed to a proposition that the secretary-stake-

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Judge Agrees to Let Tabernacle Be Built

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The matter was presented to the court at a special session held last night. A large number of local clergymen attended, together with many of the members of the committees chosen to promote the big revival meetings. The park board presented no defense at all although President Graham was called to the witness chair by the plaintiffs. He was questioned concerning the probable injury to the trees to be incurred by the erection of an opinion, declaring that one could tell whether the plan of boxing them in would prove efficient or not. It was at best an experiment that had never been tried.

From the evidence introduced the court was satisfied that the temporary building would not affect the title of the park, and that the trees would be largely upon whether the building would be a nuisance or not. Descriptions were given by the building committee's chairman, J. F. Hughes, indicated that it would not be a pretty structure. It will be 110 feet wide and 150 feet long, eight feet high at the eaves and eighteen in the middle, heated by six furnaces with stove pipes protruding through the roof and floored with sawdust and shavings.

Ernest Tinley, Dr. F. C. Berber and George S. Wright, as representative private owners, testified to the damage that would be inflicted upon abutting property, all following and acquiescing in the conclusions of Mr. Tinley that damage would be done by the establishment of the bad precedent of permitting the park to be used for abnormal purposes.

One of the defendants offered to contribute liberally to the religious enterprise if it was located in the Auditorium. When the court announced his decision the clergymen and the others present applauded liberally. The clergymen were represented by W. H. Killpack and D. E. Stuart and the plaintiffs, which included Mr. Wright as intervenor, by Mr. Harrison. Mr. Harrison said last night that he would go to Des Moines this morning and get a restraining order from the supreme court. If the order is granted it will prevent the construction of the "tabernacle" by laying it beyond the time possible for its use.

WE NOW HAVE on display one of the largest assortments of Christmas decorations, candles, nuts and fruits in the city. Our nuts are all new and of the very best quality. We handle nothing but Woodward's pure candies from 15c per pound up. Walnut meats, new dates and figs. Our oranges are ripe and prices are from 20c a dozen up. We handle fancy cheese such as Edam, each \$1.25; pineapple, 25c; Wisconsin full cream, per pound, 30c. We handle poultry. Leave your orders now for turkeys, geese, ducks and chickens, today. Dressed chickens, per pound, 13c. L. Green, 124 Broadway. Tel. 324.

Real Estate Transfers. Real estate transfers as reported to The Bee December 15 by the Pottawattamie County Abstract company of Council Bluffs:

- Louisa M. Parkole to John E. Wilcox, 204 s.w. 1/4 of 20 75-42, wd., \$4,600.
- Sarah E. Sutton and husband to F. H. Clark, lot 8 and 1/2 block 1, Oakland, la., wd., 2,300.
- William H. Lewis and wife to Edwin R. Lewis, 212 of 24 s.w. 1/4 of 24 24-40, wd., 2,200.
- Caroline E. Howland to G. Decker, lots 21 and 22, block G, Terwilliger's addition to Council Bluffs, la., wd., 250.
- George F. Revo and wife to J. W. Weyland, lot 10, block 8, Underwood, la., wd., 225.
- L. Buckingharn and wife to G. McGee, lot 15, block 30, Perry addition to Council Bluffs, la., wd., 1.
- H. E. Gould to H. G. McClellan, government lot 3, 13-15-44, wd., 1.
- William Moore, trustee and wife to Nicola Kapralovic, lots 27 and 28, Belmont addition to Council Bluffs, la., wd., 330.

Eight transfers total \$13,700. Excelsior lodge No. 25, Ancient Free and Accepted Masons, will meet in special communication Saturday afternoon at 7 o'clock, and evening, for third degree work. Banquet will be served at the close of the session.

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- S. Adrian, 348 West Broadway.

Judge Agrees to Let Tabernacle Be Built

"You have had street carnivals in the parks for the last dozen or more years and now I am going to let you try a church for a while," said Judge Arthur last evening, announcing his decision denying the continuation of the restraining order prohibiting the association of churches erecting a temporary building or "tabernacle" for use of the Hart Magann revival meetings. Judge Arthur reached this conclusion after a lot of evidence was taken, both on the point of injury to the park and endangering its title. Judge Arthur also denied the request for a stay until an appeal could be taken to the supreme court or fix the amount of the supererades bond. That the fight to prevent the use of the park for the purpose designated is not to be dropped was indicated by the declaration of Attorney Thomas G. Harrison that an application would be made to the supreme court this morning for a writ of certiorari to stop construction until the case could be appealed to the higher court.

The matter was presented to the court at a special session held last night. A large number of local clergymen attended, together with many of the members of the committees chosen to promote the big revival meetings. The park board presented no defense at all although President Graham was called to the witness chair by the plaintiffs. He was questioned concerning the probable injury to the trees to be incurred by the erection of an opinion, declaring that one could tell whether the plan of boxing them in would prove efficient or not. It was at best an experiment that had never been tried.

From the evidence introduced the court was satisfied that the temporary building would not affect the title of the park, and that the trees would be largely upon whether the building would be a nuisance or not. Descriptions were given by the building committee's chairman, J. F. Hughes, indicated that it would not be a pretty structure. It will be 110 feet wide and 150 feet long, eight feet high at the eaves and eighteen in the middle, heated by six furnaces with stove pipes protruding through the roof and floored with sawdust and shavings.

Ernest Tinley, Dr. F. C. Berber and George S. Wright, as representative private owners, testified to the damage that would be inflicted upon abutting property, all following and acquiescing in the conclusions of Mr. Tinley that damage would be done by the establishment of the bad precedent of permitting the park to be used for abnormal purposes.

One of the defendants offered to contribute liberally to the religious enterprise if it was located in the Auditorium. When the court announced his decision the clergymen and the others present applauded liberally. The clergymen were represented by W. H. Killpack and D. E. Stuart and the plaintiffs, which included Mr. Wright as intervenor, by Mr. Harrison. Mr. Harrison said last night that he would go to Des Moines this morning and get a restraining order from the supreme court. If the order is granted it will prevent the construction of the "tabernacle" by laying it beyond the time possible for its use.

WE NOW HAVE on display one of the largest assortments of Christmas decorations, candles, nuts and fruits in the city. Our nuts are all new and of the very best quality. We handle nothing but Woodward's pure candies from 15c per pound up. Walnut meats, new dates and figs. Our oranges are ripe and prices are from 20c a dozen up. We handle fancy cheese such as Edam, each \$1.25; pineapple, 25c; Wisconsin full cream, per pound, 30c. We handle poultry. Leave your orders now for turkeys, geese, ducks and chickens, today. Dressed chickens, per pound, 13c. L. Green, 124 Broadway. Tel. 324.

Real Estate Transfers. Real estate transfers as reported to The Bee December 15 by the Pottawattamie County Abstract company of Council Bluffs:

- Louisa M. Parkole to John E. Wilcox, 204 s.w. 1/4 of 20 75-42, wd., \$4,600.
- Sarah E. Sutton and husband to F. H. Clark, lot 8 and 1/2 block 1, Oakland, la., wd., 2,300.
- William H. Lewis and wife to Edwin R. Lewis, 212 of 24 s.w. 1/4 of 24 24-40, wd., 2,200.
- Caroline E. Howland to G