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# THE MEDIATOR

OMAHA'S GREATEST  
AND BEST  
WEEKLY NEWSPAPER

VOL. XX. OMAHA, NEBRASKA, FRIDAY, DECEMBER 7, 1923 No. 3

## SEARCH WARRANTS HELD NOT LEGAL

### PRESIDENT AGAINST THE SOLDIER BONUS

Favors Mellon's Tax Reduction Plan at Expense of Ex-Service Men.

### COOLIDGE MESSAGE NOT A CLASSIC

Teems with Good Old New England Republican Standpatism—Stand on Railroads and Coal Mines Looks good—Would Have Farmers Work Out Their Own Salvation—Rather Weak Message.

President Coolidge' message to congress was very frank and clean cut. It was a decided victory for standpat republicanism, an upper cut for the progressive wing of the party and a downright insult to some four millions of Americans who entered the service to fight that the president and other millions or ordinary Americans might live to enjoy the fruits of a democratic victory for all the peoples of the world.

He curtly told 100 million citizens that so far as he was concerned with adjusted compensation they could all go hang, though he said it in a different way, using nine words to say it. (Perhaps ex-service men should fall on their knees and be thankful that he gave them that much consideration.) Following the ideas of "big business" he tells congress that the so called bonus is the bunk and further says that what the people of this country needs is a reduction of taxes that will save each citizen three dollars a year.

After reading such a message we wonder just how many ex-service men would fly to arms if called upon by the executive to once more take a chance with their lives.

He tells America that the ideals idealism of a League of Nations is and has been dream, that a world court might be all right if it didn't mean anything. In his message he tells the farmers that they may

expect nothing from congress, that if they want to get anywhere they must work out their own salvation in their own way.

His attitude toward the railroads of the country and the legislation enacted and proposed was the big redeeming feature of the message.

The president's message very clearly defines his position on all impending matters of importance. Summed up, the high spots of the message show that he is in favor of treasury Mellon's tax reduction plan. Against a Federal Bonus to world war veterans. Opposed to cancelation of the allied debts which seems a practical attitude.

He favors the United States joining the world court (with reservation). Wants American slogan to be "Mind our own business", and as a correspondent of the World-Herald says: Regards the league of nations as a foreign agency in joining at the expense of any limitation of its own freedom and independence of action.

The president would have America recognize soviet Russia if that country will only pay our millionaires the dough she owes them as well as to square with the government.

Coolidge, our president is against grain price fixing but has a plan where all the farmers "can come out of it" by following the advice in his message.

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ABE REYNOLDS

Whose triumphal return to Columbia Burlesk is ample reason for the celebration of Jubilee Week at the popular Gayety Starting Saturday matinee.

### KNOCKS AND BOOSTS BY THE OBSERVER

**STOOL PIGEONS** totin' around booze on their hip are just as liable to arrest as a white man. This was proved wednesday when the police nabbed one of the "unoverers". 'Course if it was evidence to be actually presented that's different but if it was bought to be used for his belly's sake, well that is different again.

**STILL** blows up in New York killing two Italians. Pretty tough on the men but look at the lives it probably saved by going kerflunk. The above dope is good prohibition propaganda but we note that millions are continually drinking the stuff where but scores are reported being sent to the grave yard.

**SCHLAIFER - FREIDMAN** still postponed until dece seventeen. That gives Freidman four more days to stay out of the hospital. For details write Dago Joe Gans, if he is still alive. The Spanish American Vets are to stage this bout and it looks a good one.

**DIAMOND** robberies in some instances seem to be more or less a joke. Note the case of the Lincoln banker. Victim is alleged to have been paying rent for buxom lady in Unita Apartment, also 3 hundred dollars a month "upkeep". A few diamonds wouldn't hurt if the spick and span Capitol city gentleman looked as though he was about through as a sugar daddy. When the police get on the job, lots of folks get cold feet. The diamonds were mysteriously returned.

**DETECTIVES** Gurnett and Palm-tag are very much in the limelight, now that they are back on the force and have a chance to once more show their wares. Hardly a day passes but what these two men bring some criminal to justice. Latest stunt was to capture Charles Killion, alleged hold up man. The egg had twelve hours start on the two 'dicks', however with only a description of the man they nabbed him on the streets of Lincoln. Killion was still totting his gun. We often think that if these men had been on the force at the time, the Water Works bandits pulled their stuff, those gangsters would now be working for Warden Fenton.

**PAINTED FAIRIES** in the uptown district have been keeping pretty much under cover the past few weeks. Police have a wiced eye out for them, several of them having been given "days" to think it over.

**JUDGE DINEEN** was to stage a parade today. He was to march about fifty speeders up hill and then march them down again, as they used to say about "General" Jackson's army. The judge should have mapped out a route from the police station to Benson via South Omaha. In that case the speed boys may in the future think twice before steppin' on it.

**STREET CAR** service in St. Louis makes one feel chesty that he lives in Omaha. The cars down there are dirty, crowded and passe. The fare is seven cents straight. If its worth it the local company ought to be getting two bits for every ride.

**HUNDRED DOLLAR CANE IS EDITOR'S CHRISTMAS GIFT**

The editor of The Mediator is in receipt of a Christmas gift. It came from Fred Brown, known locally as the Omaha "Chain Man". It is a Christmas gift in every sense of the word. This cane, which is admired by hundreds who have seen it, is a highly engrossed affair, with pictures of such well known actresses as Mary Pickford and Bebe Daniels scrolled on the sides. There are also several patriotic emblems, such as the national flag, an anchor, and a beautiful crescent. There are more than a dozen of these beautifully carved designs. Four elegant faces are among the carvings, which are truly a work of art.

The work on this beautiful cane necessarily extended over several months, no doubt, and its value as a cane is fully appreciated by the editor, who has not walked without the aid of one for more than two years. Brown is serving a term in the Lincoln bastille for a crime which appeared serious on its face, but in reality was comparatively a small offense. He is now a candidate for parole.

**Salvation Army To Solicit Alms Though Community Chest Member**

Omaha people subscribed to the Community chest with the understanding that the local charities would not call on the public for any further contributions in any matter whatsoever. Hardly had the campaign come to a successful close until the Salvation Army, one of the chest members, declares it will seek alms as usual by placing army pots on street corners from now until Christmas. Every one loves the work of the Army but will feel plenty peeved when they see them fall down on their pledge.

In the case of the Bee Shoe fund and the World-Herald "Good Fellows" fund, conditions are altogether different. The money derived from these two annual Christmas contributions is distributed to worthy individuals that are not to be reached by organized charities.

It is to be hoped that the Community Chest will live but it never will unless those benefitted live up to their original pledge of no more personal solicitation.

The Mediator is for sale on Saturdays at all news stands.

### JUDGE WOODROUGH UPHOLDS O'SULLIVAN'S CONTENTION

Most Important Decision of Decade Handed Down by Local Federal Judge.

### VICTORY FOR THE CITIZENSHIP RIGHTS

Noted Judge Decrees That Search and Seizure Warrants Must Be Served By Marshall — Gene O'Sullivan Scores — So Do The People — Death Blow for Illegal Search— Agents of Law Must Obey Law.

About once in a generation some noted judge renders a decision that becomes an epic in American jurisprudence. Such was the case Monday when federal Judge Woodrough decreed that prohibition agents are not civil officers. The effect of this ruling is more than local, it is national and has a very direct bearing on every citizen of the United States. The decision is final as the Government can not appeal, according to Asstant United States Attorney Keyser.

While the victory is a personal one for attorney Eugene O'Sullivan, it is more than that. It is a victory for every citizen of the United States, it is in fact a victory for the very basic law of the land.

Without doubt the decision is the most important since the national prohibition act became part and parcel of the constitution. In fact it is one of the most important decision ever handed down by a federal judge anywhere, any place.

It means that in the future no one can enter a home or place of business without a search warrant issued by the United States Marshal or the head of one of the departments of the government and not by one in charge of some particular bureau.

This decision is one more victory for the sanctity of the home. It places the individual above the conivance of any political, religious or

financial clique that would tramp on the rights of citizens to further their personal interests.

The particular case over which the decision was reached was that of James Musgrave charged with the sale and possession of intoxicating liquor. The particular case is of no interest or consequence but the result in this case is of nation wide interest. It will suit most every one but a few anti-saloon grafters and perhaps a few well meaning but misguided federal agents.

It is indeed gratifying to the thousands of personal friends and clients of Gene O'Sullivan that it was he who brought to the attention of Judge Woodrough this most important case. Mr. O'Sullivan also had the able assistance of attorneys William Lovely, Raymond Coffee and George Meecham. This is in no way a particular victory for a bootlegger or all bootleggers. It simply happened that the point was brought up while a man was being tried on an alleged charge of defying the prohibition law. The same point could have just as effectively been brought up under any case where the same principal was involved.

It is a great victory for the home, for the people, for the United States. It makes the law enforcement machinery of the country obey the law just as they expect American citizens to obey and respect the

(Continued on page 2)

### OCEANS OF WHISKEY AND BREWERY BEER FLOOD GOOD "LITTLE OLD ST. LOUIS"

Thousands of Bootleg Joints Sell Supposed To Be Genuine Stuff at Four Bits — Price of "Women" lower Than in Omaha —Only Hootch and Alki in the Cheap Districts — Give Us Omaha

St. Louis vs. Omaha; How do they stack up, comparatively, under the Volstead mis-administration? Well it all depends on how you look at it. If you are a sincere Anti-saloon leaguest, Omaha has the Mound city backed off the map but if you take yours—"The wetter the better", then the Nebraska metropolis is completely outclassed in all departments of the booze game.

First of all, the real stuff, at least the label stuff is certainly only the rich mans game in Omaha. Then he has to be plenty sophisticated and muchly introduced before he can make many Scotch or Haig & Haig touchdowns. When he makes them, he is very liable to run up against some such umpire as Bob Samardick who will call it a foul and the drinker will find himself called "out of bounds".

If he is lucky and has plenty of mazuma he can get the old bottled in the barn stuff for a dollar a swaller in several hotels, clubs and apartments. In many flats he can get a lady fren' for an extra ten smackers, which after the usual petting party helps make the over night bottled fluid taste like a drag from King George's private stock.

It's different down in old St. Louis. No one reads the paper down there so they only know through heresy that the famous old Eighteenth Amendment was finally passed. They have real honest-to-goodness licker and real old brewery beer. Scads of it and at a price the average well paid man can afford.

The Mississippi river between Missouri's chief city and the gulf of Mexico has the Atlantic ocean cheated a nautical mile in the way of booze traffic, according to the St. Louis natives.

The writer arrived in the Anxheuser-Busch village, more or less a stranger and plenty dry. Was soon introduced to "Joe" (all the bar keeps are "Joe" down there) who

sold only alki, felt at home. This "Joe" was down on Pine street where two bits is the limit, thus he handled only greased lightning. Soon found a place on Walnut where the Boss handled only real liquor, wine and genuine brewery beer.

After half hours visit thought Johnny Kerns, Tom Foley et el had moved in. The price was fifty cents and the glass plenty big. Two bits paid for a big nine ounce mug of beer. Must go down again some sweet day, by and by.

Soon found out I did not have to go so far out of the way. All kinds of cigar stores and soft drink parlors handled the stuff, right in the heart of the city but high rent in that district brings the price to seventy-five cents.

At that it is a hard matter for a stranger to get a drink at least until you get acquainted with one good place or one good fellow. The government put an awful scare into the peddlers a couple of weeks ago but the promised wholesale raids did not occur. This made them sceptical toward strangers but stopped no one from serving their friends or acquaintances.

Many so called Road Houses are really right in town, just out far enough for a nice ride. There is where the big parties take place. Many cater to "volumn" trade, keep the price of whiskey down while the girlie girls don't seem to want to get rich in one night.

Altogether there must be several thousand more or less open bootleg joints selling good, bad and indifferent intoxicants, this in spite of Wayne B. Wheeler's assertion that the country is fast drying up.

But Omaha is good enough for we-uns. Just now we are wondering if the St. Louis Chamber of Commerce will vote us a medal or simply pay a paltry few thousand dollars for advertizing their wet little vilage on the raging Mississippi.

### LOCAL SPORT CARD FILLED TO BRIM WITH SCORES OF WORTH WHILE EVENTS

Fight Promoters Promise Season of Exceptionally Well Balanced Fistic Events — Creighton Has Booked All-Star Cage Program — Amateur Boxers To The Point — Swimmers Attract Attention.

Omaha sport lovers will have plenty of action to witness in all departments of the sport game during the winter months. First there is promised a series of boxing cards that if they come up to expectations will furnish plenty of excitement and entertainment. Next in importance is the basketball schedule of Creighton, Omaha University and the several High schools of the city. In addition there will be the usual exclusive winter sports such as curling, bowling, skating and others that have certain followers.

We believe that the sport public are more interested in the big time stuff Creighton has on tap from a basketball standpoint than any other one during the frigid months. Here is the schedule:

Dec. 21—Indiana at Omaha.  
Jan. —Iowa at Omaha.  
Jan. 17—Haskell Indians at Omaha  
Jan. 12—Haskell Indians at Omaha  
Jan. 18—So. Dakota State at Omaha  
Jan. 19—So. Dakota State at Omaha  
Jan. 25—North Dakota University at Omaha.  
Jan. 29—North Dakota State at Omaha.  
Feb. 2—Nebraska University at Omaha.  
Feb. 8—Marquette at Milwaukee.  
Feb. 9—Marquette at Milwaukee.  
Feb. 10 and 11—Des Moines at Des Moines. (Tentative.)  
Feb. 15—Des Moines at Omaha.  
Feb. 22—Notre Dame at Omaha.  
Feb. 23—Notre Dame at Omaha.  
Feb. 25—Morningside at Omaha.  
Feb. 29—Marquette at Omaha.  
Mar. 1—Marquette at Omaha.

The greatest basketball schedule ever compiled for a Creighton university basketball team was announced last night by Coach Schabinger of the Blue team for the coming season. Chief among the final games to be added to the now complete list of major combats for the

Notre Dame for Omaha, February 22 and 23.

The signing of the Hoosiers was a master stroke in the opinion of Blue followers. With Nebraska, Iowa, Indiana, Marquette and Haskell in the bright list of opponents on 1923-1924 program, Creighton faces her greatest court tests in history.

Although recent local boxing bouts have had a tendency to more or less spoil the local fistic game, promoters are going ahead with their plans which on paper at least looks like lovers of the take and give game are in for a season of real sport.

The Spanish American boys are to exhibit Sailor Freidman vs our own Morrie Schlaifer on December 17. Jake Isaacson for the American Legion is on the look out for several top notchers whom he will bring together while Bernie Boyle is expected to soon re-enter the game with a bunch of genuine headliners.

So far as the fight game is concerned the professionals will have to look to their lawrels this winter if they are to keep pace with the amateurs. This is plainly shown by the first A. A. U. meet this week. The amateur boxers are registering heavy and attracting more than local attention. At the first fall boxing carnival held Wednesday evening at the Athletic club there were five knockouts while the remaining bouts were hot stuff without exception.

Of immediate interest is the big swimming contest to be held at Nicholas Senn hospital Saturday evening, December 8. There will be thirteen events featured by 40-yard free style, 80-yard medley, backstroke and breaststroke races, water polo and other interesting events including a diving exhibition by Helen Bors the hospital champion.

Taken as a whole the winter sport season locally promises much in the way of high class entertainment in all classes of athletic endeavor.

# The MEDIATOR

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### THE BASIC LAW UPHELD BY WOODROUGH

The importance of Judge Woodrough's recent decision can hardly be over-estimated. Already we have heard the belching criticism of a so-called lawyer, general attorney for the Anti-Saloon league, an organization to suppress the saloon, which does not exist. We have also heard the chirping of the bootlegger, an admitted foe of the law. But neither of these men will attract the attention of the thinking man, and the average citizen who believes in law and order and in the constitutional rights they possess under the constitution of the United States. Every man's home in his palace. This was the basis of the Judge's decision. It has never before been passed on under similar circumstances. The fact that a bootlegger was the interested person in the case matters not a whit. It remained for an able attorney like Eugene D. O'Sullivan to bring the matter to a head. Its effect is in many respects an equal of the famous Dred Scot decision. That judgement of our courts brought about civil war.

The Woodrough decision may not have such a result and probably will not. But it is without doubt the most important of its kind delivered by a judge in a generation. Ever since prohibition was written into the constitution and the Volstead act adopted, there has been a disposition of prohibition supporters and of prohibition agents to make a plaything of it. They have taken the position that their employment was everything that would make it unpleasant for the bootlegger and for the ordinary citizen as well. Now they have been informed by the court that quite the opposite is true.

The God-given rights of a citizen of the United States are as sacred as the Holy Word of God Almighty and the shame of it all is that it should take so long a time to find that out. There is no doubt that there will be found a way to enforce the prohibitory law as well as it has heretofore been enforced, but it will be done in an orderly manner until such time as the people shall decide it is a bad thing. That can not be done, however when the law is used as a plaything by an official of the United States, even if he is employed in a minor capacity.

The country may rejoice in Judge Woodrough's decision, because it maintains a great basic principle of citizenship. Although the bootlegger may rejoice and throw up his hands in glee, the very people opposed most to him and his business should, if they are really in earnest, join him in his joy. There are greater things in this country than the fight against prohibition, and one of them is a proper definition of our constitutional rights. This is what has been defined for us.

The fact that a bootleg case was the occasion for the decision does not detract in the least from its importance. It will probably not result in civil war as did the Dred Scot decision, but it undoubtedly means much to the country as a whole and will be quoted all over the country as among the important and eventful court actions of the century.

The whole country owes a great deal to Mr. O'Sullivan, who has made a thoughtful study of the law. O'Sullivan's name will go down in history as one of the greatest lawyers of his time.

### JUDGE WOODROUGH AND "JUDGE" WHEELER

Judge Woodrough's recent decision has, as was to be expected, raised the ire of Wayne B. Wheeler, head grafter or, as he terms himself, leading attorney, for the Anti-saloon league. This arrogant freebooter says he thinks the decision of the judge is wrong but his "thinks" all run along a narrow channel, so much so that even league supporters take his arguments with a grain of salt.

The local judge has a national reputation for fair dealing with those who confront him and is widely known for his superior knowledge of jurisprudence. He does not let sentiment interfere with his judgement of law. This suits everyone except Wheeler. However as the New York World says,

Nothing that the Anti-Saloon League says or does need any longer be cause for surprise. It has abused every privilege to which an organization professing exclusively to represent the moral elements of the community might lay claim. It has assumed the right to flout the laws and defy the administration of justice. It has instructed public officers how they must do its bidding and has threatened them in the performance of their duties with punishment through the political power of thousands of churches which it boasts of controlling.

The so-called appeal by the directors of the Anti-Saloon League to the Republican majority of the Assembly for an investigation of the office of the District Attorney of New York County, certain members of the local judiciary and "ecclesiastical influences" said to be allied with the wet interests might have been dictated by William H. Anderson, the Superintendent of the league. But whether he dictated it to the directors or they voluntarily drew up the extraordinary document amounts to the same thing in the end. For in effect they have made themselves parties to a manoeuvre to thwart the course of justice in bringing to trial the Superintendent of the league for acts for which he is under indictment. It even admits that the motives behind the scheme are open to suspicion.

When the Anti-Saloon League in one sentence denounces "the illegal indictments which have improperly been found against" Supt. Anderson and demands a "legislature inquiry into the reprehensible use of the District Attorney's office and the machinery of the courts as an instrumentality of injustice and persecution" it outrages decency and affronts the courts. It is an audacious attempt at intimidation that cannot but fail.

### SEARCH WARRANT HELD NOT LEGAL

(Continued from page 1)

Judge Woodrough in handing down his famous decision said, in part:

"It is my conclusion that the provisions of the national prohibition act concerning the issuance of search warrants under the limitations are exclusive," said Judge Woodrough. "It appears to me that notwithstanding the powers conferred upon the commissioner of internal revenue both by the national prohibition act itself and various acts referred to therein, that it was the intention of congress to retain and to maintain all the limitations upon the issuance of search warrants that are found in the espionage act and to authorize no other searches for its enforcement than are found in the espionage act. Such being the conclusion of the court it is ordered that the motion to suppress the evidence obtained under the search warrant be sustained."

"As the United States commissioner is limited in his powers so that he cannot lawfully issue search warrants except to a 'civil officer' of the United States and the prohibition officer is clearly not a 'civil officer' in any strict or constitutional sense, the real question is whether the term 'civil officer' may be given a popular and less strict meaning. I have before me the opinions of judges of Michigan and Massachusetts, reflecting their conclusions that the issuance of the writ was justified, notwithstanding their conclusion that the prohibition agent is not a 'civil officer' of the United States in a strict or a constitutional sense; but I find myself unable to concur."

"I am persuaded that a strict and literal observance of all limitations incorporated in the law concerning issuance of search warrants is not only in accordance with the historical traditions and spirit of our law, but it appears equally that congress, in the Volstead act, itself imperatively commands the maintenance of the specified limitations."

"Not only do all the authoritative adjudications of the United States supreme court that I have read emphasize and uphold the constitutional inhibition against unreasonable searches — and surely unlawful searches are unreasonable—but the last expression of congress, in the supplemental act to the national prohibition act, confirms me in my conclusion."

### Two Men Die in Attempt to Save Child's Kite

Enola, Pa.—Attempting to save a child's kite, which became entangled in some wires near their home, Clarence Rider and Frank Snyder were electrocuted. Rider was using an iron rod to disentangle the kite, and Snyder was holding his arm when the rod hit the wire.

### Wait 38 Years for Honeymoon.

Piqua, O.—After 38 years of married life, Mr. and Mrs. Charles F. Schussellin of Piqua will take their postponed honeymoon trip. The couple was married May 12, 1885. At that time Mr. Schussellin was making \$10 a week.

### Prize Ruffian.

A most remarkable example of a dictator-tyrant was Juan Rosas, who, for 17 years, from 1835 to 1852, ruled the Argentine republic as an unchallenged despot. Rosas was born in 1793, and began life as a gaucho. He seized supreme power in 1835, and is credited with having put 25,000 people to death. The "Nero of South America" was ably backed up by his seconds-in-command, Oribe and Urquiza, two most consummate scoundrels. Rosas took refuge in the British legation and, for some reason, he was shipped to England on H. M. S. Locust. He settled down at Southampton, where he died in 1877, after 25 years' peaceful residence. He was a peculiarly bloodthirsty scoundrel.

### He Didn't Stay Dead.

A newspaper editor had spread himself considerably in a touching obituary extolling the virtues of a popular but none too saintly townsman who was reported dead.

Later the report was found to be false. So the next issue of the paper bore the statement of correction:

"We learned after going to press that Mr. Jones was well and alive as usual. It is therefore with great pleasure that we renounce what we said about him in our obituary yesterday.—Everybody's."

### PRESIDENT AGAINST THE SOLDIER BONUS

(Continued from page 1)

His recommendation on the immigration law is worth while. He favors continued rigid restriction of immigration, of the establishment of selection of immigrants abroad and the registration of aliens in the United States.

The president in his message insists that the coal mines shall continue to be privately owned but better regulated to which most people will say amen. The document will not go down in history as a presidential masterpiece.



BENNY LEONARD

World's lightweight champion at the Orpheum this week. Last times today and Saturday.

Cheerfulness an Obligation. Cheerfulness should not be a matter of mood. It is an obligation which we owe to those about us. And gloom, being an infectious disease, cannot be quarantined too strictly.

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INDIAN'S THRILLING YARN ABOUT SNAKE FIGHT

Cherokee Brave Declares Joint Reptile Attached Tail of Rattler and Fled to the Hills.

St. Paul.—William Choleta, a full-blooded Cherokee Indian living on Spavinaw creek, in the Flint Hill district of the old Cherokee nation, had a reputation for veracity that was unchallenged until he related this snake story. But now—well, here's Bill's story:

He was fishing along Spavinaw creek when his attention was attracted by a commotion behind him. Investigation disclosed a big rattler and a joint snake in deadly combat. Choleta was curious as to the outcome, but in the Spavinaw country rattlesnake oil is a specific for rheumatism, lumbago, chilblains and the like, so Choleta took matters into his own hands and killed the rattler. Then he cut off its head and tail.

The joint snake which had been fighting for its life lay scattered in several directions on the ground, according to Bill, and true to its nature, it set about trying to connect the scattered fragments. But in its hurry, Choleta said, the joint snake picked up the tail of its enemy instead of its own. It was well that was the last fragment, for the joint snake was too frightened to assemble any more. Every movement caused the rattles to sound, and the joint snake, apparently believing it was still pursued by the enemy, set out across the hills like greased lightning.

Rat Trained on Bootleg Booze Knocks Out Two Cats

Kansas City, Mo.—Fed up on corn whisky, "Siki," a large, grizzled rat, "knocked out" two husky cats here in a two-round bout witnessed by cheering crowds.

The rat, trained for two days on cheese soaked in bootleg whisky, disposed of his opponents one at a time.

The big fellow was discovered in the basement of the city jail. When he failed to succumb to a diet of corn whisky, policemen dubbed him "Siki," and arranged a battle with the two biggest cats available.

"Tabby," an old gray cat from the city hall, was put in the pit first. "Siki" rose on his hind legs, plunged fiercely toward the feline, biting and scratching at her back. "Tabby" withdrew to her corner, and her seconds threw up the sponge.

The fight promoters then placed "Tom," champion alley heavyweight of the city, in the ring. Tom turned his back, withdrew to his corner and crouched in fear at the onslaught.

A policeman referee raised his club over the rat and declared him winner.

Conscience-Struck Woman Pays Fare 10 Years Later

Wichita, Kan.—Conscience is a relentless creditor.

This is why a woman entered the Rock Island passenger offices here several days ago and said to the passenger agent: "Mister, I am here on a peculiar mission. I came to pay for my two children's tickets which I should have bought ten years ago. I wasn't a Christian then, and I lied about the children's ages. The amount was \$7.25."

Mr. Keyes, the agent, told her to forget about the incident. The woman was persistent and he wrote the general passenger agent of the road, who told him to collect \$4.25. The woman refused to be satisfied until she paid the full \$7.25. She then told him how she had lied numerous times before she joined the church and how she now was paying off all debts of honor.

Montreal Man to Build \$3,000 Home for His Hens

Paul Smith, N. Y.—Dr. W. L. McDougald of Montreal is going to mitigate the ruggedness of life in the wilderness both for himself and for his hens, pigs and cows. A \$3,000 chalet is to be erected for the hens; the pigs, it is thought, will be content with a \$2,000 bungalow that is being constructed for them. A community house for the cows is being put up at an expense of \$5,000. A living room for the owner is being added to Doctor McDougald's farm at an expense of \$50,000.

Other campers also are adding the little conveniences of civilization to their cabins.

Courtello That Mild Cigar

8c



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Don't Fuss With Mustard Plasters

Musterole, made of pure oil of mustard and other helpful ingredients, will do all the work of the old-fashioned mustard plaster—without the blister. Musterole usually gives prompt relief from bronchitis, sore throat, coughs, colds, croup, neuralgia, headache, congestion, rheumatism, sprains, sore muscles, bruises, and all aches and pains. It may prevent pneumonia. All druggists—35c and 65c jars and tubes—hospital size \$3.

Better than a mustard plaster

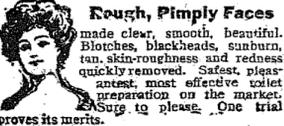


An ugly cut? MENTHOLATUM is antiseptic and gently helps the healing.

LAST CAR LEAVES

Table listing bus routes and fares: Farnam Street Line, Harney Street Line, Park and North 24th Streets, South Omaha and 42nd and Grand, Dodge Street Line, Leavenworth and Deaf Institute, Fort Crook Line, Owl Cars.

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75 Cents a Bottle For sale by all Druggist

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SIX CHAIRS UNION SHOP ALL FIRST CLASS BARBERS YOUR SATISFACTION IS OUR SUCCESS CALL AGAIN THANK YOU GUS. J. TRAHANAS, Prop. 1419 1/2 Douglas St. Omaha

LEGAL NOTICES C. H. KUBAT Attorney-At-Law In the District Court in and for the County of Douglas, State of Nebraska.

NOTICE. Charles J. Kurcz and Clara Kurcz, husband and wife, Plaintiff, vs. Bohemian Loan and Building Association, the assignees, trustees, receivers or persons having charge of the assets of the Bohemian Loan and Building Association, a dissolved corporation, real names unknown, and all persons having or claiming any interests in Lot Three (3) in Block Seven (7), Arbor Place Extension, an Addition to the City of Omaha, in Douglas County, State of Nebraska, real names unknown, Defendants: To the above named Defendants and each of them:

You are hereby notified that Charles J. Kurcz and Clara Kurcz, as Plaintiffs, filed a petition in the District Court of Douglas County, Nebraska, on the 3rd day of November, 1923, against you and each of you, as Defendants, the object and prayer of this petition are to remove the clouds cast upon plaintiffs' title to property described as follows: Lot Three (3) in Block Seven (7), Arbor Place Extension, an Addition to the City of Omaha, in Douglas County, State of Nebraska, and to quiet plaintiffs' title thereto and to bar, enjoin and preclude you, the above named defendants, and each of you, from any right, title, claim or interest in or to said property or any part thereof. You are required to answer said petition on or before the 24th day of December, 1923.

Dated Omaha, Nebraska, November 3, 1923. CHARLES J. KURCZ CLARA KURCZ.

11-9-4t. JA. 2197

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ESSENTIAL OILS Basic Flavors in their highest concentration—nothing finer or stronger obtainable at any price. Each 1 1/2-oz. bottle flavors 15 gallons. (Bourbon, Brandy, Scotch, Gin Rye etc.) Per bottle \$3.00 12 for \$31.75. BEADOL (makes fine natural beads) 4-dram bottle \$1.00 FINEST Our old style Ager eliminates the raw taste in any AGER beverage, makes it equal to ten years in charred barrels, fine & mellow. Price \$5.00. All our goods fully guaranteed or money back. Our references: Any Omaha Bank (We are known as the Pioneer Bottlers Supply House of America).

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ARTISTIC MEMORIALS VISIT OUR NEW SHOW ROOM CONTAINING AN UP-TO-DATE DISPLAY FRANK SVOBODA 1214 SO. 13TH ST. OMAHA

## Marion Davies Took Real Lashing While Making "Little Old New York"

Dainty Star Tied to Whipping Post and Lashed by Louis Wolheim To Make Scene Realistic

Marion Davies says she knows how to sympathize with the prisoners in Florida who have been the victims of the brutal whippings which resulted in the death of one boy and stirred up the wrath of the whole nation. The fair motion picture star knows what it is to feel the deadly lash whirring above her head and descending with cutting fury upon her bare shoulders. During the making of her Cosmopolitan picture, "Little Old New York", which will be the attraction at the Rialto Theatre, on Sunday for seven days, Miss Davies was called upon to take a beating administered by Louis Wolheim of "Hairy Ape" fame. Masquerading as a boy, little 'Pat' gets into serious trouble and is almost the victim of mob violence. She is tied to the whipping post in the public square as it was a hundred years ago and struck several times with the lash. Miss Davies would not allow a double to be used for these scenes and the penalty was several blister-

ing red marks upon the white shoulders which have been portrayed on canvas by some of the most famous artists in the world. Of course, Wolheim tried to temper realism with mercy, but it was hard to put the required vim into the scene and still make the lash pass over the star's shoulders instead of falling upon them.

"It certainly is anything but a pleasant feeling to hear the lash whistling through the air and know that in another second it will cut into your flesh," says Miss Davies. "I'll admit I was terrified for a moment and I just couldn't help giving a little scream the first time it hit me. After that it was easier because J just set my teeth and determined to bear it."

"Little Old New York" was adapted to the screen by Luther Reed from the stage play by Rida Johnson Young. Sidney Olcott directed and Joseph Urban designed the settings.



IRENE FRANKLIN  
The clever Star who is to appear at the Orpheum Theatre for one week beginning with the Sunday matinee, December 9.

## Has Good Sight Yet Plays Role of Blind Man

"The Light That Failed" Affords Percy Marmont Good Leading Part

The keenest eyes in Hollywood are blind! Widely known for years as possessing the most acute vision among those who accompanied him on hunting or yachting trips, Percy Marmont plays the role of Dick Helder, an artist who loses his sight in Rudyard Kipling's "The Light That Failed", which George Melford produced for Paramount and which comes to the Strand Theatre next Sunday for seven days.

"It is a curious thing that I should be playing such a role", said Mr. Marmont. "I have never had any trouble with my eyes and have had numerous experiences which prove they are more powerful than those of the average man. In playing Dick Helder, I have made use of several tricks to get what I consider the proper mental attitude.

"In the evenings I practiced going blind-folded about my rooms at home and forcing myself to make the slow, careful movements of a man whose sight has failed and who is not yet accustomed to eternal darkness. I have learned many curious things while wearing bandages over my eyes.

"One of the things I learned is the inability of the average person to maintain a sense of orientation when deprived of sight. After a few turns, I lost all but the most hazy sense of direction. Constant practice gave me a surer control and eventually I was able to walk unhesitatingly to any place in the room.

"Another thing I learned was the truth of the old belief that blind people have, as a rule, excellent sense of hearing. With sight cut off, I learned to exert my hearing faculties to the utmost and was able to distinguish tiny sounds which ordinarily were unnoticed."

The scenes of this absorbing Kipling story are laid in the Soudan and in England. It deals with the love romance of an artist and a noble English girl and has a happy ending. It is a dramatic narrative of love, war and intrigue. Jacqueline Logan is featured with Percy Marmont, Sigrid Holmquist and David Torrence.

### IRENE FRANKLIN AT ORPHEUM

Irene Franklin, the inimitable portrayer in songs of character types, is headlining this week's bill at the Orpheum, commencing with Sunday's matinee. She comes to Omaha with an entire new program of songs written by herself, the music of which was composed by the late Burton Green.

Miss Franklin has been called the "human melting pot" for no one so well depicts the multivarious types all about as does this delightful young person who takes her characters from every conceivable profession and avocation and cloaks them with such realism that one sees their own friends in them.

The songs she writes are not of the hodge podge generally heard.

Featured on the same bill with this talented vocalist are Maude Powers and Vernon Wallace and the Avon Comedy Four, both featured acts. "Georgia on Broadway" is the title of Powers and Wallace's new act. The Avon Comedy Four is the "big four" of quartettes. These singing dancing humorists are Joe Smith, Charles Dale, Arthur Fields and Harry Goodwin.

Ted Lorraine and Jack Minto, with

Mlle. Marie Andre, offer an adaptation of "Moth and Flames". It is gorgeously staged and danced and sung to perfection.

McGovern returns from abroad for an Orpheum tour. He is the master of the diablo. McGood and Lenzen are billed as society equilibrists because their work, although daring, is executed with all the gentility of ball room manners.

Dan Stanley and Al Birnes are eccentric dancers. They do as wide an assortment of eccentric steps as one could image, preceded by a routine of wit.

## Gayety's Jubilee Week

Much Jollification In Store For Columbia Burlesk Lovers

The coming week will be Jubilee week at the popular Gayety, the good and sufficient reason being the triumphal return of clever Abe Reynolds to Columbia burlesk—an event well worth celebrating.

There is wide scope for scenic and costume elaboration in the range of opportunity said to be afforded in "Bubble Bubble" next week's attraction.

The producer of this offering is said to have availed himself in a most satisfactory manner of this opportunity.

"Bubble Bubble" offers sixteen changes of magnificent scenery, all unfolding special features of great beauty and novelty while a bewildering array of costumes enhance the beauty of these sets. There are fourteen musical numbers sung and danced during the action of the piece, with tunefulness and grace, by the talented company of principals and chorists.

Heading an unusually pretentious array of comedians, singers and dancers is Abe Reynolds, well and favorably known to the followers of burlesque as a delinquent of comedy Hebrew roles. A close second in popularity to Mr. Reynolds is William Browning, who has been called "America's Foremost Character Artist."

Ann Clifton, the prima donna of the company won her laurels in musical comedy before entering burlesque.

More than burlesque, "Bubble Bubble" combines extravaganzas, musical comedy, stage illusion and vaudeville in a melange of novelty that has gained it an enviable reputation wherever it has played. The chorus sings well, looks very attractive and dances skillfully and with enthusiasm, and its shapely members know how to display most fetchingly the many costume creations with which they have been provided.

Ladies bargain matinee at 2:15 daily all week starting Monday. The Sunday matinee begins at 3:00.

### WHAT ROY WADE HAS BEEN DOING LATELY

Roy Wade is a policeman. In fact he is a policeman in every sense of the word. He has had an opportunity to prove it within the last week or two and has made good with a vengeance. Last Saturday he, with Pill Box Officer Bradley pulled four boys out of Hanscom Park lake.

A few nights previous he was called to the same spot to look over a Ford car. The two officers, after a pretty thorough examination, decided it had been left by some person who had run out of gas.

This week Wade made the big catch, when he hauled in a stick up man, in fine style. Wade found it necessary to use his gun in this case, which he did very effectively.

For business, we will say that Roy Wade is a real police officer.

### BENNIE LEONARD NOT GOOD ENOUGH FOR LOCAL AMATEURS

Here is a good one. Bennie Leonard, lightweight champion of the world, now playing at the Orpheum, slipped into the Athletic club during the amateur boxing matches last Tuesday evening, after the show. He went incog. Says he: I used to be a boxer out in Fremont. Will you give me a chance to show my stuff with some of these boys? Sure, go weigh in. He did. Nothing doing, said the athletic director. You are too light, don't look like a fighter and we don't want any murders here. Said athletic director probably saved some boy from being murdered while at the same time he created the condition that gave Bennie a long, long, "laff".

### Girl-Bride Breaks Window to Join "Hubby" in Jail

Worcester.—Because she wanted to go to jail to be with her husband, Beatrice Egnatosky, eighteen-year-old bride of 19 months, tossed a stone through a \$150 plate-glass window and walked into police headquarters with the request that she be arrested.

Judge Riley refused her plea, however, ordering the case continued and the girl released. Court officials were unable to induce her to change her mind about wanting to go to jail. Her husband, Julius, was sentenced to a year for larceny, recently.

### Arizona Land Opened to Veterans.

Washington.—About 25,000 acres of public land in Mohave county, Ariz., has been thrown open for homesteading by veterans of the World war, by the interior department. The unentered land will be opened to the general public.

### Men Saw Lad From Forks of Tree.

St. Anthony, Idaho.—Falling 30 feet from the top of a tree, seven-year-old Gordon Spiers, suffered severe injuries when his head was driven into the forks of the tree. Several men saw three limbs from the tree before the lad could be freed.

### Three Die When Train Falls in River.

Gradyville, Ga.—Three men were killed when an engine and train of a lumber company here went through a trestle and fell into the river. Recent heavy rains had swollen the river and weakened the trestle.

### WOMEN GROWING ROBUST

University Statistics Show Marked Physical Improvement in the Sex in America.

Let pessimists stew in their own bitter juice; the American woman is steadily growing taller, healthier, and more robust, more fit to take her own part and to mother a strong race.

Doctor Mosher of Stanford university, in a note reprinted from the California State Journal of Medicine, shows that the average height of Stanford women has risen from 62.4 inches in 1892 to 64 inches in 1921. That of Vassar women has risen from 63.2 inches in 1900 to 64 inches in 1921; that of Smith college women from 62.8 inches in 1892 to 64.2 in 1921.

Doctor Mosher gives some very interesting correlations between the increase in height and the increasing width of waist, the diminishing length and width of skirt, and physiological normality. The cause of the improvement, almost certainly, is the increased freedom of physical movement demanded by athletics and reluctantly licensed by fashions in women's clothes.

No man, it is written, may add a cubit to his stature by taking thought. The average woman has proved that she can add at least inches to her stature by taking exercise.—New Republic.

## YOUNG BRIDE IS BRUTALLY SLAIN

Colorado Springs Girl Beaten to Death for Refusing to Violate Marriage Vows.

### YOUNG SPANIARD HELD

Colorado Springs, Colo.—Elsie Jorgensen Suttle, fourteen-year-old girl bride, was murdered because she would not break her marriage vows for a former lover.

The murderer is believed to have gone to the Suttle home with a revolver or a hammer in his pocket. While the slayer was hammering the life out of Elsie with his weapon he pressed his knee on her chest, crushing it.

Jacinto Fernandez, Spanish youth, arrested in connection with the crime, defied grilling and punctuated his cross questioning with insulting remarks to the police.

Find Bloodstained Love Notes. The detectives investigating the case intimate that evidence obtained in



Murdered.

Colorado Springs and Denver makes the case a strong one against Fernandez.

The principal evidence is a packet of five "Jack" love notes, blood-saturated, found beneath the pillow of the slain girl. Police say they are confident Fernandez is the author of the letters. Most of the notes are filled with insistent demands upon the girl to forsake her husband and run away with the man who had been her sweetheart before marriage.

Husband Suspected Wife.

A handwriting expert, called to compare the writing in the letters with that of Fernandez, reported that the writing bore "marked similarity."

R. H. Suttle, Jr., husband of the slain girl, said he suspected some one of prowling about his wife's boudoir window. He loaded a shotgun and placed it handy for a return of the unknown man. It was discovered that the young wife had picked the shot from the shells, police said.

Suttle suspected his wife of knowing who the prowler was, but when he asked questions she was silent. The prowler, it is known, sought a secret mailing box at the bedroom window and each day missives were exchanged. This window was often open, and police say the "Jack" note author went inside in the absence of the husband.

# GAYETY OMAHA'S --FUN-- CENTRE

Twice Daily Starting Sat. Mat., Dec. 8  
**JUBILEE WEEK**

In celebration of the Triumphant Return to Columbia Burlesk of the Inimitable Hebrew Comedian

**ABE REYNOLDS**

In the Piquant Parisian Novelty "Bubble-Bubble"

And an All-Star Cast, Including **William E. Browning** Burlesque's Greatest Character Actor

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**ANN CLIFTON** Phenomenal Female Barytone

Two and a Half Hours of Splendid Entertainment and no movies to annoy you.



Abe Reynolds

Omaha's Greatest Amusement Value

## The Ideal Evergreen Grave Blanket



Standard size blanket 40 by 80 inches Price only \$3.50 Can be used as soon as flowers are frosted or any time up to and especially at Christmas when we all want to do something for the dear departed ones.

These blankets, with their ornamental and attractive appearance neath wintry skies, take the place of the delicate summer blossoms which have perished, and transform a barren mound to one of living green.

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