Officer Prepared to Nab Birks as He Leaves Court

Detective Attempts to Serve Warrant as He Steps From Stand in Cusody Case.

Drama marked the close of the Monday morning session of the Birks case in domestic relations court.

City Detective Killian stepped forward to arrest George Birks, Mt. Pulaski, Ill., on a charge of assaulting his wife, Eileen, in Omaha, in December, 1922.

Birks had just stepped from the witness stand. His attorney, C. F. Connolly, appealed to Judge Day.

"Technically, Birks is still on the witness stand and therefore exempt from arrest," said the court. "He can't be arrested till he leaves the witness stand."

Birks' father, W. E. Birks, wealthy land owner of Mt. Pulaski, Ill., sat nervously throughout the morning session.

As he stepped outside the court room at noon he was met by Deputy Sheriff Yates, who served him with a summons in a suit for $200,000, which had just been filed against him by Mrs. Eileen Birks, his daughter-in-law.

Feared Suits.

It was the sixth ray of the battle between George Birks and his divorced wife, Eileen, 4319 Erskine street, for possession of their child, Robert, 5.

Heretofore Birks and his wealthy father have not set foot inside the state. A criminal charge of wife desertion was pending against the son. The father, it is said, feared a damage suit by young Mrs. Birks. As the case went on, however, it became evident that if they hoped to get the baby they must appear in person.

Their appearance here was a surprise to Mrs. Birks' attorney. Eugene O'Sullivan took occasion to file a motion for fees.

Orders Payment of Fees.

"This case," said Judge Day, "strikes me as one in which all kinds of money is being spent by one side. It is the order of the court that Birks pay $450 to his wife's attorneys."

Birks and his son spent the afternoon trying to raise the money. The hearing will go on Wednesday morning.

The alienation suit, prepared and filed so hurriedly, charges that W. E. Birks maliciously alienated the affections of his son, George, and caused him to leave his wife. For this, $100,000 is asked. The other $100,000 is asked on charges of conspiracy alleged between W. E. Birks, his son, and others to ruin the reputation of Mrs. Burks.

Young Birks testified that he knew nothing of his wife's suit for divorce until after she obtained it. He said his father paid one detective in the case $800.

Papillions Notes.

A daughter was born Sunday to Mr. and Mrs. John Eichner.

Mr. and Mrs. Hugh Armstrong, sr., Mr. and Mrs. Hugh Armstrong, jr., and Mr. Frank Armstrong, all of Omaha, spent Sunday at the J. E. Strawn home.

Members of the Christian Endeavor society of the Presbyterian church had an outing Sunday at the Platte river.

Mrs. E. S. Nickerson and Mrs. E. G. Rose have gone to the bedside of their sister, Mrs. John Speedie, who is seriously ill at Lincoln.

Mr. and Mrs. Az Wilson and Mrs. John Weber drove to Perry, Ia., where they visited Mrs. Weber's granddaughter, Mrs. A. A. Culver, Saturday.

Mrs. J. F. Foreman of Omaha visited Papillion relatives during the early part of the week.

Mrs. Agnes Timm has filed suit in district court for a divorce from her husband, Albert F. Timm, charging cruelty. They were married February 20, 1924.

Mr. and Mrs. Henry C. Giesamann celebrated their golden wedding anniversary Tuesday. Relatives gathered at the Giesamann home for the observance of the event.

Mrs. A. Becker and Miss Lizzie Eriche were delegates to the Foreign Women's Missionary society meeting held last week at Lincoln.

Miss Leta Fase spent the week-end with relatives and friends at Lincoln.

Royal Neighbors of Papillion entertained the Royal Neighbors of Springfield Tuesday evening. Candidates were initiated.

The Papillion High school will hold its annual festival Friday, October 24, in the high school auditorium.

WOAW Program

Tuesday, October 21.

6 p. m., "Advice to Lovelorn" period, conducted by Cynthia Grey of the Omaha Daily News.

6:25 p. m., dinner program transmitted from WOAW's studio in the May Seed and Nursery Company building, Shenandoah, Ia.

8 p. m., program by B. P. O. lodge No. 29, featuring the Omaha Elks' band.

10:30 p. m., Wowl frolic by Frank Hodek, jr., and his Omaha Nightingales, transmitted from Wowl roost at Roseland Gardens.

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DAVIS VISITING ALMA MATER

Nashville, Tenn., Oct. 20.—The democratic party is riding a "rising tide of victory," in its campaign for the presidency, John W. Davis declared here today in a speech to southern alumni of Washington and Lee university.

The democratic candidate filled with optimism, told the college men he was certain of victory in November. It was his first speech on his invasion of the solid south.

Davis paid tribute to a college education, declaring he owed his own success in life to Washington and Lee university, his alma mater.

"Nothing comes closer to my heart than the rising of the alumni of Washington and Lee in behalf of my candidacy," Davis added. "Nothing gives me more pleasure than to take all the honors I hope to win and all that I have won and lay them at the feet of my alma mater."

FAGENBERG MUST SERVE OUT TERM

Federal Judge John F. McGee has refused requests that he reduce the 18 months' sentence imposed on "Curly" Fagenberg, 1710 Webster street, who pleaded guilty to selling home brew this spring.

The requests were made by United States District Attorney J. C. Kinsler and Elmer Thomas, prohibition director.

"If Fagenberg had negotiated a compromise as other defendants did, he would have been given but six months," wrote Elmer Thomas to Judge McGee.

RADIO

Program for October 21.
(Courtesy of Radio Digest)
By Associated Press)

WEEI, Boston, (306), 6, Mayor Curley; 6:10, Big Brother club; 6:45, music; 7:15-11, program.

WGR, Buffalo, (319), 5, music; 6:30, news.

WMAQ, Chicago News, (447.5), 6, Chicago theater organ; 6:30, orchestra; 8-8:30, talks; 9:15, program.

WGN, Chicago Tribune, (370), 6, concert; 10, orchestra.

WLS, Chicago, (345), 6:30, organ; 6:45-11, entertainers, orchestra, farm, baritone; 11, program; 12, Mardi Gras.

WLW, Cincinnati, (423), 9-11, music.

WJAX, Cleveland News, (390), 6:30, bedtime; 7, concert.

WFAA, Dallas News, (476), 8:30, program; 11, orchestra.

WWJ, Detroit News, (517), 7:30, News orchestra.

WBAP, Fort Worth Star-Telegram, (476), 7:30-8:30, baritone; 9:30-10:45, concert.

WDAF, Kansas City Star, (411), 6-7, School of the Air; 11:45, Nighthawks.

WHAS, Louisville Times, (400), 7:30-9, concert.

KFI, Los Angeles, (469), 8:45, organ; 10, dance; 11, vocal, instrumental; 12, "Pop" Ballard's.

WMC, Memphis Commercial Appeal, (500), 8:30, program, quartet; 11, organ.

CKAC, Montreal, (425), 6:30, concert, organist; 7:30, orchestra; 9:30, dance, pianist; 11:30, Midnight frolics, talk.

WEAF, New York, (492), 5, music; 7, politics; 7:20, John F. Hill; 7:30, Gold Dust Twins; 8, National Carbon Co.; 9, violin.

WJY, New York, (405), 7:15-9:15, talks, organ recital.

WJZ, New York, (455), 9 a. m., educational; 12-11 p. m., music, concert, stock reports, talks, dance.

WOR, Newark, (405), 6 a. m., gym class; 1:30-6:30 p. m., dance, revue, talks.

KGO, Oakland, (312), 10, travel talk, "Naples, Pompeii and Rome," J. E. Barnes; 12, dance.

WDAR, Philadelphia, (395), 6:30, talk; 7:45, speech.

WIP, Philadelphia, (509), 5:05, orchestra; 6, talk; 7, concert; 9:05, dance.

WFI, Philadelphia, (395), 5:30, orchestra; 6, talk; 8:30, talk; 9, dance.

KDKA, Pittsburgh, (920), 6:15, children; 7, address; 7:30, concert; 10, concert.

WCAE, Pittsburgh, (462), 6:30, Uncle Kaybee; 6:45, special feature; 7:30, musical; 10, concert.

KGW, Portland Oregonian, (492), 10, agricultural lecture; 10:30, concert.

KPO, San Francisco, (423), 9-9:30, orchestra; 10-12, program; 12-1, band.

WGY, Schenectady, (380), 6:45, program; 10:20, organ.

WBZ, Springfield, (337), 6:30, bedtime; 6:40, ensemble; 7, "Eternal Youth;" 7:30, concert.

KSD, St. Louis Post-Dispatch, (546), 8, soprano, baritone; 9, address on "Stamps."

WRC, Washington, (469), 7, "Electric night."

CKY, Winnipeg, (450), 8:15, concert, male quartet.

KFNF Program

Tuesday, October 21.

KFNF, Shenandoah, Ia., 266 meters; 12:30 to 1:15 p. m., regular noonday concerts; 7:30 to 9 p. m., concert from Johnson, Neb., under the direction of H. J. Schneider.

William C. Halsey Dies at Eagle Grove

Had Held Important Posts on Northwestern Railroad; Retired in 1907.

Eagle Grove, Ia., Oct. 20.—Funeral services were held Sunday for William Cassadler Halsey and burial was made in Rose Hill cemetery under Masonic auspices.

Mr. Halsey was born at Sparta, O., September 7, 1844. He moved to Clinton, Ia., in 1864 and began work on the Northwestern railroad. From Clinton he went to Belle Plaine in 1869 and he became bridge foreman in 1870. In 1872 he was promoted to the position of roadmaster. He became division superintendent at Chadron, Neb., in 1885; from there he was sent as general superintendent to Missouri Valley, Ia., in 1887.

From 1889 to 1907 he was superintendent of bridges and buildings. He retired from railroad work in 1907 and came to Eagle Grove.

July 24, 1872, Mr. Halsey was married to Miss Lucinda Cannon at Belle Plaine. They had three sons, Herbert M., whose home is in Eagle Grove; William H., who lives at Boone, Ia., and Elmer Clifton who died in 1914.

Mr. Halsey leaves, besides the wife and two sons, two grandsons and two granddaughters.

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AT THE THEATERS

Not only did Robert Warwick secure for vaudeville one of the best written one-act plays of the year, by Alan Brooks, but he found a supporting cast of exceedingly capable players. Mr. Warwick is appearing at the Orpheum this week in "Bonds That Separate," a perplexing problem play of love and marriage. Frominent in English musical comedy for many years, Colin Hunter was first brought to this country by Mr. Brooks to appear in "Dollars and Sense." His greatest role was in "The Lilac Domina," which he played in London for two successive seasons. Mr. Hunter is now working towards dramatic work. He has an interesting role in "Bonds That Separate." Miss Mary Halliday was formerly leading woman for Richard Bennett and Wellington Cross. R. Yamamoto, a clever Japanese comedian, has appeared in London and New York productions.

Ben Nee One, the Chinese comedian at the World this week is unique in vaudeville circles. Ben has the distinction of being the only one of his race singing dialect songs and doing comedy talk. No American performer has any more ease of delivery or a better sense of humor than the oriental funmaker. The De Maria five, Markell and Gay and other acts make up a worth while supporting show.

That Empress audiences like a mixture of drama with their musical plays is evidenced this week by the rousing success of "The Western Girl." Telling a consistent story with plenty of comedy moments the play holds attention from curtain to curtain. Joe Marion in an Italian character, Rudy Wintner as a fly bartender, Whitey Holtman as the sheriff and Bert Evans as the bad man are the featured performers.

There are 22 musical numbers in "Hippity Hop," the snappy revue at the Gayety and in the entire lot there is not a single one that is not worth remembering. And there is dancing of many styles and kinds. Included in the many superb stage settings are A magnificent black and white illuminated staircase; a Spanish scene styled "In Old Mexico," the "Beach at Wakai Hikik" with its colorful oriental treatment; "The Black and White Club" and "The Awakening of the Idol." Ladies' 25 cents bargain matinee at 2:15 daily.

With an entirely new outfit of scenery, costumes and cast of new faces, also diversified talent, is with that ever new but now 10 years old musical entertainment "Bringing Up Father." Unlimited opportunity is offered for surpassing efforts in every detail of an up-to-date attraction. "Bringing Up Father in Ireland" is at the Brandeis the last two times, today, matinee and night. A host of pretty girls, a carload of gorgeous scenery with elaborate electrical effects. A complete new outfit of the newest designs in stage costumes. Special music of the catchiest sort, dances that will entrance the most blase.

Last November 15 plays opened in New York. When July came round this year Lynn Starling's merry comedy "Meet the Wife" was still running strong and was the sole survivor; many discriminating playgoers were seeing it for the third and fourth time. There are rpples and roars of laughter as the witty dialogue and skillfully constructed situations of "Meet the Wife" are unfolded. The cast of players includes Mary Boland, Charles Dalton, Ernest Laford, Humphrey Bogart, Patricia Calvert, Ralph Glover and others whose comedy work is a pleasure to witness. "Meet the Wife" begins a three-day engagement at the Brandeis theater on Thursday of this week with a matinee on Saturday.

"Simon Called Peter," dramatized from Robert Keable's famous novel of love and religion, opens a limited engagement at the Brandeis theater for four days starting next Sunday, October 26, with a Wednesday matinee. This is an extraordinary drama which has been transposed from the novel to the stage by Jules Eckert Goodman and Edward Knoblock. It is the story of an English clergyman who surrenders his pulpit to accomplish a greater work on the battlefields of Europe. But Peter Graham, entering an atmosphere unknown to him, finds that his idea of religion does not reach the boys struggling in the trenches. In an attempt to learn their viewpoint Peter discards his clerical collar. He goes among the publicans and sinners, mingles with them, learns their thoughts and desires and in the end understands them.

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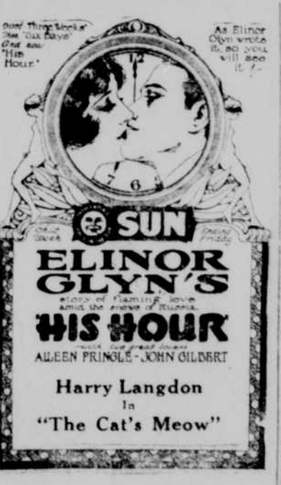

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