

WITNESSES OF SHOOTING GIVE NEW VERSIONS

Stories of Battle Between Police and Bandit Differ; Dead Man Fired One Shot.

Detective Frank Murphy, who was shot by Judd Tobias, alias Joe Trimble, Tuesday night, was much improved yesterday, according to reports from the Lord Lister hospital, and it is now believed that he will recover.

An entirely new version of the shooting in which Tobias, alleged bandit and highwayman, was killed, was told yesterday by witnesses.

According to this new account of the killing there was a fight between the bandit and officers before any shots were fired.

Tobias is said to have been struck on the back of the head while he struggled with the policeman near the corner of Twentieth and Dodge streets.

Tobias, they declare, was shot to death by Detective Lunden after he had fallen on a vacant lot, midway between Nineteenth and Twentieth streets on Dodge.

Tobias fired but a single shot. It struck Detective Murphy. His revolver missed fire when he attempted to shoot the second time.

Lunden fired six shots from his weapon. Five of them missed their mark. The last shot fired by the officer entered the bandit's left breast, penetrating the heart and emerging from the man's back.

Though the man did not die for 15 or 20 minutes, the police made no effort to hasten the wounded victim to the hospital.

Detective Murphy and the bandit were lying on the ground a short distance from each other. They were rolling in pain when the automobile arrived to convey the wounded man to the hospital.

Murphy was taken and Tobias died on the vacant lot where he was shot a quarter of an hour or more before, according to witnesses who saw the affair.

A few minutes after the bandit died another police car drew up to the curb. The driver refused to take the man away and three quarters of an hour afterwards the body was removed to the undertaking establishment.

Says Fired Downward. "I was standing on my front porch," said Mrs. Graham, 1919 Dodge street, "when the shot that killed the man was fired. I was preparing to retire when I heard the shooting at the corner. I went to the front door and when I looked out I saw the man moving east in Dodge street. A vacant lot opposite my house I saw the detective when he fired the last shot. I saw the blaze leap from the revolver. It looked to me like the officer held the weapon slightly below his waist line and fired directly into the ground.

FLASHES from FILMLAND PHOTO-PLAY OFFERINGS FOR TODAY

LOUIS WILSON, who is playing opposite Bryant Washburn, has gone to Lake Tahoe to take some scenes for the adaptation of "Why Smith Left Home." This is not her first visit to this region; she visited the lake while with the "Universal" and later with Warren Keenan. In these pictures, she went for snow scenes, and she is glad of the opportunity to view the beautiful scenery there without snow on the ground.

Rialto—"A Daughter of the Wolf," is one of the best pictures yet turned out by Lila Lee is here today and Saturday. It is filled with action, thrills and suspense and finishes with a bang. It deals with the fur smuggling traffic in the far northern reaches of the Canadian wilds. Mr. and Mrs. Sidney Hillman, in these pictures, she went for snow scenes, and she is glad of the opportunity to view the beautiful scenery there without snow on the ground.

At Neighborhood Houses DIAMOND—24th and Lake—EMMY WILSON in "THE BARRICADE IN 'TANBOLED THREADS'." MARY WALCAMP in FINAL EPISODE OF "THE RED GRAND—14th and Binney—MARY PICKFORD in "HULLA FROM HOLLAND." MACE RENNETT in COMEDY, "THE VILLAGE SMITHY." ORPHICUS—South Side—14th and FANNIE WARD in "THE CRAY OF THE WEAK."

It will cost Clara Kimball Young \$25,000 extra for every picture she makes. The New York courts have decreed that this sum shall go to Louis Selznick who held a contract with her.

Constance Talmadge wishes it understood that the platinum and diamond guard ring that she wears on the third finger of her left hand is not an engagement ring. She realizes that to the uninitiated it may look like one somewhat, but she prefers wearing it at all, and it happens to be too small for her right hand finger for which it was intended, when given her by sister Norma.

Ruth Chatterton will be starred by the Universal, and Douglas Gerard will direct her.

Pauline Rouseau Shellhorn, 24 years old, of 714 Quai St. Michel, Paris, is the French bride to reach Council Bluffs. She arrived yesterday with her husband, Priv. Walter A. Shellhorn. They are stopping at the home of the young man's parents, Mr. and Mrs. George A. Shellhorn, 1516 Sixth avenue.

The bride is a trained nurse, with five years active work to her credit, covering the war period. Her father was in the government marine office in Paris during part of the war, and during the whole war his daughter was in hospital work.

The estate of Mrs. Coad amounts to several thousand dollars worth of real estate and personal property.

South Side Brevities Sales girls wanted for permanent work. While Brothers, 24th and N. St. 24th. Light baggage and express, call Office 2811 or South 1193, P. J. Ford.

Will Grant Leave of Absence to Attend G. A. R. Encampment C. E. Adams, state commander of the G. A. R., has received a communication signed by President Wilson, saying that all veterans of the civil war now in the service of the government who wish to attend the national encampment of the G. A. R., to be held at Columbus, O., September 7 to 19, inclusive, will be granted leave of absence with full pay during that period.

Omahan Who Helped Locate Yank Graves Returns Home Lt. Harry White of the transportation section of the American Red Cross, has returned from overseas and is at his home, 805 William street. Lieutenant White saw much service in the devastated regions of France, both in relief work and as a special officer locating the graves of American soldiers.

War Department Orders. Washington, July 17.—(Special Telegram)—First Lieut. James C. Walker, 1st medical corps, is relieved from duty at Fort Snelling, Minn., and will proceed to Fort Meade, Md.

The Weather. Local Comparative Record. 1919. 1918. 1917. 1916. Highest Thursday .91 76 82 84. Lowest Thursday .50 70 76 78. Mean temperature .80 70 73 85. Precipitation .9 1.2 1.5 1.0. Temperature and precipitation departures from the normal: Normal temperature .77. Excess for the date .12. Total excess since March 1, 1919, .210. Normal precipitation .415 in. Deficiency for the day .013 in. Excess since March 1, 1919, .127 in. Deficiency since March 1, 1919, .288 in. Excess for year period in 1919, .227 in. Deficiency for year period in 1918, .227 in. L. A. WELSH, Meteorologist.

South Side CITY PLANS IMPROVEMENTS FOR SOUTH SIDE

Most of Sewer Work Already Completed; Contracts for Grading Have Been Let.

An extensive program of improvements on South Side streets, sewers and curbs has been outlined and partly completed according to a summary issued by Commissioner Towl. The greater part of the sewer work has been completed and contracts let on all the grading work, some of which is already completed.

One of the biggest pieces of work in the process of completion is the making of the Thirteenth street boulevard, which will extend from Missouri avenue to Harrison street. The new drive overlooks the river and will be one of the choicest stretches in Omaha.

Bids have been received for paving Gilmore avenue from Railroad avenue to Harrison street and work will start soon. Work on Eighteenth street from A to G will also be pushed this year.

Grading has been finished on A street from Twenty-sixth to Twenty-eighth, on Twenty-seventh and B streets, north 351 feet of A street, and on Twenty-eighth street from B to C streets. The grading has been completed, and the following grading work will be done this year: Twenty-ninth avenue, F to I streets; H from Thirty-ninth avenue to Forty-second street; Hillside avenue from Thirty-ninth avenue to Forty-second street; I street from Forty-third to Forty-fifth; Fortieth from J street to L and Fortieth avenue from F to I streets.

The Brown park improvement plans are still in the hands of the appraisers. Of the \$100,000 needed for the Child's Point Forest Reserve has been raised.

Court May Disregard Will and Give Property To Husband and Girl

John J. Phalen asks the district court for a divorce from Mary Phalen on the grounds of cruelty. They were married in 1915.

A decree of divorce was granted by Judge Day in divorce court to Tilly Goodman from Fred Goodman on the ground of nonsupport. They settled their property rights out of court. Mrs. Goodman was given custody of the two children.

Ruth Marie Slack was given a divorce from Charles Slack and \$200 alimony on the ground of nonsupport by Judge Day in divorce court.

Marie Sandberg says in a petition for divorce filed in district court, that her husband, Adolph, accused her of unfaithfulness. They were married December 18, 1918. She asks for alimony and the restoration of her maiden name, Smith.

After 29 years of married life, Centa Warren asks the district court for a divorce from Oscar Warren and the custody of their child. She charges nonsupport.

Jerry Sinclair charges his wife, Alice Sinclair, with cruelty in a petition for a divorce, filed in district court.

Chiropractors Must Pass Examination to Practice According to a bill passed by the last legislature, chiropractors or podiatrists will be permitted here after to practice only after license has been legally obtained. License is obtained by passing an examination, all chiropractors will be obliged to make application to the board of chiroprody examiners. Chiropractors who have practiced in the state less than one year next prior to the passage of the act will be required to take an examination. Those who have practiced more than one year next prior to the actual passage of the bill will not be required to take an examination, but will be granted licenses provided their general credentials are up to certain standards.

Amateur Baseball

By William O. Blonies. Speaking of comebacks, Fontaine Vernon, well-known local amateur baseball hurler, and considered one of the best in the city a few years ago, staged one of the greatest "comebacks" in the history of the national pastime here, last evening, when on the mound for the Bowen Furnitures, he pitched his team to a 7 to 1 victory over his opponents.

In staging this "comeback," he defeated several of his former teammates, who played with Fontaine when he was the crack hurler of the Murphy Dicks, class B champions, several seasons ago. Opposing Vernon on the mound was one of his best friends, old playmate and former moundsman of the Murphy team, Ray Maxwell.

Vernon allowed the heavy hitting Maxwell to get on base, but he whiffed eleven men, while the furniture lads secured eight hits of Maxwell, including a home-run drive, with one on, and a three-sacker by Eddie Hollander, star outfielder. The fielding of Left-fielder Koehler of the Bowen team was excellent.

Last evening's appearance was the first time in two years that Vernon has participated in amateur baseball circles and his many friends, who witnessed the game gave him a rousing reception.

Vernon's victory, the Motor crew were eliminated from the City league championship and the Union Outfitting Co. are the 1919 pennant winners. The Bowen's and the Union Outfitting crew meet Sunday afternoon and should the Bowen's win, and M. W. Fry's, who are tied with the Willard Storage Battery, lose, both of these teams will be tied for second place.

The Inter-City league race was also tied last evening when the Highland Park Pharmacy defeated the Harding Creamery Co. in a hard-fought game, 5 to 4, thereby winning the 1919 flag.

From start to finish the contest was bitterly fought and it was one of the best games seen in amateur baseball for many days.

The Pharmacy's victory was practically due to the brilliant pitching of Ray Belyod, who whiffed 12 men and allowed but five hits, which he kept well scattered. The fielding of Reggie Dean featured. On account of the John Day Rubber company disbanding, the Highland Parks are awarded a forfeit game Sunday.

They are anxious to schedule out-of-town games and any team wishing games, can write Van Dwork, 3659 South Twenty-sixth street. The score by innings: Highland . . . 1 0 0 1 0 0 2 5 7 3. Hardings . . . 2 0 0 0 0 0 0 4 6 3.

AMERICAN LEAGUE. Thirty-second and Dewey Avenue—Holmes White Sox vs. Murphy-Dick-Ida, 1:30 p. m. (No other games scheduled.) CITY LEAGUE. Riverview Park—McClafferty Motor Co. vs. Willard Storage Battery, 3:30 p. m. Miller Park—Union Outfitting Co. vs. Bowen Furnitures Co., 5:30 p. m. (No other games scheduled.)

AMERICAN LEAGUE. Fontenelle Park—Higgs Optical Co. vs. Fontenelle Motor Co., 2:30 p. m. (No other games scheduled.) BOOSTER LEAGUE. Elmwood Park East—Ramblers vs. Benson Merchants, 1:30 p. m. World Herald vs. Benson Merchants, 3:30 p. m. Park-Tribune Brothers vs. Leavenworth Merchants, 5:30 p. m. GATE CITY LEAGUE. Thirty-second and Dewey Avenue—Townsend vs. McKenney Dentists, 1:30 p. m. Fontenelle Park—Omaha Printing Co. vs. Reno Billiard Parlor, 1:30 p. m. Riverview Park—Besslines vs. Hermansky Pharmacy, 3:30 p. m. INTER-CITY LEAGUE. Miller Park—Bedeos vs. Harley-Davies, 1:30 p. m. Lulu Park—Harding Creamery Co. vs. Curly Mineral Springs, 3:30 p. m. (No other games scheduled.)

Divorce Courts John J. Phalen asks the district court for a divorce from Mary Phalen on the grounds of cruelty. They were married in 1915.

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BRYAN ATTACKS FRENCH TREATY; FAVORS LEAGUE

Says Pact With Gauls Would Be League Within League to the Discredit of Both.

Lincoln, Neb., July 17.—In a statement given out to the Associated Press Wm. J. Bryan, while expressing the Wm. J. Bryan, nations, contending any alliance with France, Mr. Bryan insists it would be a league within a league to the discredit of both. He says: "An alliance with France is defended on the ground that it is necessary for her protection. The league of nations gives France the same protection it does the other nations. A league within the league would not only discredit the league and proclaim our lack of faith in it, but it would be a destructive force. It would disintegrate the league of nations and disappoint the hope it has aroused. France might not mourn, for she was opposed to the league from the beginning, but America would mourn and the whole world would suffer."

The president announced at Manchester that our country was not interested in a league which it in France, who wholeheartedly was right then and the people have not changed. That sentiment ought to cause the defeat of the proposed alliance by an overwhelming majority. "Ratify the league of nations, Deny the proposed alliance. Consistency requires that those who favor the league should oppose the alliance. They represent opposite policies."

Fifty Witnesses In Court to Testify In Nelson Assault Case

Fifty residents of West Center street appeared yesterday in police court as witnesses against Harry Nelson, 25 years old, fifty-fourth and Center streets, accused of assaulting Mrs. and Mrs. John Hansen, 4836 Pine street, two weeks ago.

Hansen testified Nelson came to his home and beat him with a club when the former's wife objected to their son, Clarence, 17 years old, associating with Nelson.

Following Hansen's testimony, Judge Fitzgerald continued the case until Friday on request of Nelson's counsel.

The Bee Want Ads Are the Best Business Boosters.

Krug Park THE HOME OF PICNICS BATHING DANCING RIDES—THRILLS PICNIC GROUNDS Many other clean amusements in the park. —FREE— EBENEZER The famous, educated trick mule of McIntyre & Heath (Ham Tree) fame.

EMPIRE TWO SHOWS IN ONE BROWN'S SAKAPHORN SIX: JACK ROSE, ALLEN, GRAY, L. DORR & BECK, MAN. PHOTOGRAPHERS. RUBENS IN CASE MAN'S COUNTRY. BILLY WEST Comedy.

BASE BALL KOURKE PARK JULY 18-19-20 OMAHA vs. WICHITA Games called at 3:30 p. m. Two games Sunday, July 20. First game at 1:30 p. m., Friday is Ladies' Day. Box seats on sale at Barksdale Cigar Store, 16th and Farnam.

LOTHROP 24th and 14th and 16th BILLY BURKE in "PEGGY"

Let's Go Bathing! AT MANAWA PARK A cool, refreshing plunge at the delightful beach is like a vacation period. Dancing at the Water's Edge Tunesful melodies and a perfect floor with the cooling lake breezes blowing through the pavilion. Picnic Parties at Shady Grove Lots of room and a special playground for the kiddies. Special Cafe or Cafeteria Service at all times. Pleasurable Attractions for Your Enjoyment The Roller Coaster, Aeroplans, Rides—Merry-Go-Round—Minister's Railroad and lots of others. Free Band Concert. Free Motion Pictures

Manava Park ADMISSION FREE It is unnecessary for you to suffer from eczema, blotches, ringworm, rashes and similar skin troubles. Zemo, obtained at any drug store for 35c, or \$1.00 for extra large bottle, and promptly applied will usually give instant relief from itching torture. It cleanses and soothes the skin and heals quickly and effectively most skin diseases. Zemo is a wonderful, penetrating, dispersing liquid and is soothing to the most delicate skin. It is not greasy, is easily applied and costs little. Get it today and save all further distress. The E. W. Roe Co., Cleveland, O.



Frank Keenan



Virginia Pearson in 'The Bishop's Emeralds'



Billy Burke in 'Peggy'



Portrait of a woman



Portrait of a woman