

Alibi Is Defense In Murder Case Of Ernest Clark

Witness for State Tells of Threats Made Against Man Found Dead Near Ak-Sar-Ben Field.

Henry Beal, deputy county attorney, began his argument to the jury yesterday in the state's case against Ernest Clark, charged with the murder of William E. Smith, September 2, near the Ak-Sar-Ben field.

Smith, a street railway employe, was found dead September 9, with a broken jaw and an injury on the left side of the head. A piece of sewer pipe lay near.

Ray Asher, state's witness, told of threats made by Clark against Smith on account of the alleged theft of a gun by the former. Officer Fleming testified that Clark had also confessed to the theft of an automobile in Kansas.

Executors Asks Court To Authorize Sale of "Happy" Benner's Land

Permission to sell the late Happy Benner's farm land holdings in Johnson and Fillmore counties, in order to meet \$89,461 in mortgage debts is sought by John W. Steinhart of Nebraska City, executor of the estate, in papers filed yesterday in district court.

A palatial residence in Washington, D. C., the home formerly occupied by Mrs. Benner's father, Senator Charles E. Van Wyck, is listed as worth between \$40,000 and \$60,000. All her property is held in trust for her son, Van Wyck Benner, now 18.

More Than 200 Felony Cases Awaiting Trial

More than 200 cases involving felonies are waiting trial at the present term of court, according to Ray Coffey, assistant county attorney. Forty-five persons are in the county jail now, awaiting trial.

This does not include any of the grand jury indictments. Reasons for the present congestion of business and the fact that the legislature turned down action looking to the appointment of new deputies, is it possible some of the cases may not come to trial this term, Coffey stated.

Not one of the 45 men in jail is held for liquor violations. "The latter furnish bond and get their release," he said.

No Community Center Meetings This Winter

Community center meetings in the public schools will not be continued this winter, according to statements by City Commissioner Hummel of the park department, who conferred with Mayor Dahlman on the subject. For several years these centers were maintained by the public recreation department. Paid supervisors were assigned to promote and direct the activities.

Drug Store Phone Users To Pay for Conversation

Conversational visits over downtown free telephones are being discontinued by the new type of pay telephones which have been installed in many stores.

The company reports that 250 of these telephones have been placed. The retailer who has a pay telephone guarantees \$6 to the company, receives his in calls free, and is allowed a percentage of the receipts above \$6 a month. Formerly he paid \$7.70 a month for his telephone.

Corliss Auto to Be Sold To Pay Government Claim

The seven-passenger touring automobile of Lacey Corliss, recently indicted head of the Waterloo Creamery company, will be sold at public auction October 31, to satisfy a government tax claim of \$1,501.

Notices of the sale were posted at the court house yesterday by deputy collectors from the internal revenue district.

Victim of Auto Accident Sues for \$5,000 Damages

William Sisson brought suit for \$5,000 damages in district court yesterday against Laurence Spalding for injuries sustained October 18, when he was run down by Spalding's car at Thirtieth and Leavenworth streets. Sisson charges Spalding was traveling 35 miles an hour when the accident occurred.

Judgment Awarded Same Day Action Was Started

District Judge Troup broke all local records for damage suit awards by issuing a decree in favor of Clyde O. Murman, who brought suit for \$2,000 against the American Transfer company on account of the death of Gerald Murman, 3. The judgment was for \$1,200 and was rendered on the same day the action was started.

Where It Started

Roller Skates. The invention of the roller skate dates from 1823, when no one is made of a "newly invented skate" of this type. Apparently the first roller skate did not have the familiar two wheels, but operated on the principle of the modern ball bearing—a straight row of small wheels or balls held in a groove forming the runner. It was first exhibited in a tennis court at Windmill street, London.

Two-Minute Sermons

Written Especially for The Bee by Gipsy Smith

INVESTING FOR ETERNITY.

When people get the real thing, they will show as much enthusiasm over their religion as their sports.

Pleasure is a passing scene, gone in an hour. Faith will outlive the stars. I prefer to hitch my life to eternity.

Almost \$1,000,000 was spent for seats at the world series base ball games. Another \$1,000,000 was spent for a prize fight. If men of the world value their enjoyment so highly, what ought Christian men and women to do in return for the highest joy that life can hold?

Cry of a Heart.

Nothing in the world so arouses my enthusiasm as my religion; no thrill can equal that of seeing a man turn his face from sin. What can anyone see in a foot ball or base ball game every day? I can understand enjoying it once a week, and I like a game of golf once in a while myself, but kicking, throwing or chasing

Dog Hill Paragraphs

By George Bingham

Jefferson Potlocks says he has never yet been able to get his finances adjusted just right, as, when he gets hold of some money he has holes in his pockets, and by the time he gets the holes patched up he is flat broke again.

The mail carrier probably has carried more sacks of unwelcome letters down the road than anybody, but has decided that he can't miss any of them, as they merely go to somebody else's house and somebody else's to the house that had sent the others away.

A rabbit passed through Columbus Allison's yard this morning while all the dogs were setting around, as the hunting season is not yet open.



Jack and Jill

"Jack, dear?"

Dinner was finished and the coffee cups emptied. Jack was already at his second cigarette and the table was cleared. So Jack was immersed in his newspaper.

"Jack, dear," she began timidly the second time.

"Huh?" he grunted.

"Do three kings equal three queens—or what?"

"There was a pause and her husband laid aside the evening paper and sat bolt upright in his chair, fixing her with a stare of unassuming surprise.

"What's that?"

"Do three kings equal three queens—or don't they?"

"What is this—a conundrum?"

"No, not a bit of it, dear. I know you loathe the conundrums." She said this with a sweet, a suspiciously sweet air of innocence.

"Come off," said Jack, rudely. "What is it you want to know?"

"Goodness, have I got to ask you again. I asked you if three kings equal three queens?"

"You mean in cards?"

Jill nodded.

"Of course not. Who ever heard of such a thing?"

"Well, not cards exactly." This amendment came tardily, haltingly.

"Jill, what are you talking about? Will you be so kind as to—"

"Of course," she sighed plaintively. "If I ask you what the League of Nations is about, you seem to know everything, and can tell me all about it. And if I ask you about the furnace, you tell me a lot of things about the drafts, and the damper, and the flue, and combustion, and everything; but when I ask you a little thing that everybody knows, even Mrs. Strood, and goodness knows, dear, she knows very little about anything, but she does know if three kings equal three queens."

Jack himself drew a deep breath of sympathy with his Jill's.

"Gosh!" he exclaimed. "Is this a card game you've been at with her?"

"Not—well, Jack, it's like cards—in a way."

"Well, just exactly what is it?"

"Oh, it's a game. You play it with little square pieces of ivory or something."

More Truth Than Poetry

By JAMES J. MONTAGUE



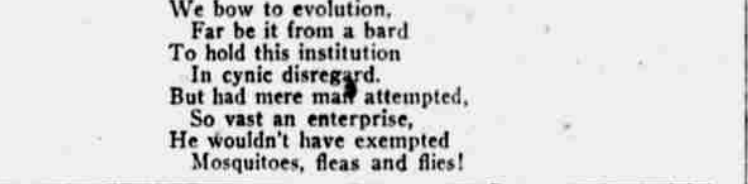
THE SURVIVAL OF THE UNFITTEST

Although the perodactyl, So scientists report, Was patient, kind and tractile— A model beast, in short— Though no ill will be cherished, His passing was ordained. But when he drooped and perished The wicked flea remained.

The dinosaur, by habit, Preferred the simple life Eschewing, like the rabbit, All violence and strife. The kindest instinct filled him; His soul was pure and shy; Yet evolution killed him, And spared the vicious fly.

The auk was meek and lowly And placid and discreet, His time devoted wholly, To hunting things to eat. Yet when extinct they found him On Unalaska's shore, Mosquitoes swarmed around him As thickly as before.

We bow to evolution, Far be it from a bard To hold this institution In cynic disregard. But had mere man attempted, So vast an enterprise, He wouldn't have exempted Mosquitoes, fleas and flies!



PEACEFUL

England is not going to have any trouble with the Scotch. They're too busy building distilleries for the American trade.

A RUSH JOB

They'll have to hurry up and scale Mt. Everest if they expect to get there ahead of the price of anthracite.

TOUGH ON KANSAS

Now the prohibition agents are going to forbid the sale of booze makings which will destroy the value of this year's corn crop. (Copyright, 1921, by The Bell Syndicate, Inc.)

wouldn't cheat. Anyway, she proved she was right.

"How could she prove it, I'd like to know? Goodness, if you had three kings, and a Jack, and an ace, and she threw only three queens, and a Jack and an ace, how in the name of Sam Hill could she—"

"But Jack, she said that in dice, ladies always count more than gentlemen, and it stands to reason they do, so I—"

"Ye gods," cried the lord and master. And there ended the reading of the first lesson. (Copyright, 1921, Thompson Feature Service.)

Romance in Origin Of Superstitions

By H. IRVING KING. Naming the Baby.

There is a very common superstition, both in this country and Europe, that it is unlucky to name a child after another child of the family who is dead. This comes from that very ancient and primitive superstition, found today among nearly all uncivilized peoples, with regard to the intimate relation between a man's spiritual self and his name. A certain vital connection also between the man's physical self and his name appears to have entered into it.

The doctrine of "mana in names," Edward Clodd calls it; "mana" meaning magical power. To primitive man his name was "auntity," an integral part of himself—is so today among savages. Clodd says of an Australian aborigine: "If he has had conferred upon him on arriving at manhood a name similar to that of anyone who dies it is changed by his tribe" and compares this custom to "The feeling in the north of England against a favorite baptis-

WHY—

Do Hall-Marks Appear on Silver?

To say that something bears the "hall-mark" has come to mean that it is genuine, unadulterated and above suspicion, and the expression is now frequently applied to men, although in the beginning it was used only in connection with articles of gold or silver.

Strictly speaking, the hall-mark is the official stamp used by the Goldsmith's company in England as a proof of the purity of various metals, the name being derived from the jeweler's guild or hall and not from any resemblance to a hallway in the appearance of the stamp itself. The hall-mark for London, for example, is a leopard's head; for Dublin, a harp; for Birmingham, an anchor; for Sheffield, a crown, etc. In addition to these marks, which indicate the place at which the metal was assayed, there are other symbols showing the purity of the product. These symbols are expressed in the form of carats for gold and the "sterling" and "standard" marks for silver—the former meaning that there are 11 ounces and 10 pennyweight of pure silver to the Troy pound and the latter that there are 11 ounces and two pennyweight, the standard for British silver coins. The addition of a letter, signifying the year in which the assay was made, completes the

BEAUTY SPECIALIST TELLS SECRET

A Beauty Specialist Gives Home-Made Recipe to Darken Gray Hair.

Mrs. M. D. Gillespie, a well-known beauty specialist of Kansas City, recently gave out the following statement regarding gray hair:

"Anyone can prepare a simple mixture at home that will darken gray hair, and make it soft and glossy. To a half pint of water add 1 ounce of bay rum, a small box of Barbo Compound and ¼ ounce of glycerine.

These ingredients can be purchased at any drug store at very little cost. Apply to the hair twice a week until the desired shade is obtained. This will make a gray-haired person look twenty years younger. It does not color the scalp, is not sticky or greasy and does not rub off."

RIALTO

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Early Possible Attend Matinees and Early Evening Performances. Shows at 11-1-3-5-7-9

Blue-jay

Foot Treatment keeps feet feeling fine a Bauer & Black product

EMPRESS

Shows at 11-1-3-5-7-9

Parents' Problems

How can children best be taught to not discuss family matters with persons outside the family?

Don't discuss important family matters before the children. I believe in the fullest possible family life, but much of the petty talk and gossip, as well as the larger serious affairs of the home, can be, and ought to be, kept from the children, better topics for conversation being substituted. As in Benjamin Franklin's family, let public questions, questions of men and books, etc., be discussed at table, and when the children can listen and take part. Small talk is the only kind that children and grown-ups gossip with. The care lies in better thinking, a higher level of intellectual life and larger outlook at home. Positive training and discipline out to help too.

A hatpin is excellent for testing vegetables and cakes. It does not bend as a straw does.

TONIGHT

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AMERICAN MAN DANCER

Assisted by Louis Horst, Concert Pianist, and Martha Graham, Betty May and Dorothea Bowen, Solo Dancers in Two Special Concert Engagements. Religious, Pictorial, Dramatic and Burlesque.

Tickets—50c, \$1.00, \$1.50 and \$2.00

Wednesday and Thursday, Oct. 26-27

MATINEE THURSDAY

Direct from Chicago Triumph at Court Theatre. Sam H. Harris Presents Grant Mitchell

"The Champion"

The Comedy that tickled New York's funny bone all last season. Prices: Nights, 50c, \$1.00, \$1.50, \$2.00, \$2.50; Bargain Matinee, Thursday, Best Seats, \$1.50.

OMAHA'S FUN CENTER

Mat and Nite Today Good Res'vd Sec. 50c Dave Marion's Own Co. Emil (Jazz) Casper and Will

"The Land of Impossibles"

Musical from Broadway. Ladies' Tickets, 15c-30c—Every Week Day. Mat. & Week—Sitting Billy Watson.

WALLY REID

In a Story of Modern Gold Diggers

The HELL DIGGERS

A Two-Reel Comedy Screen Louise Fazenda Chester Conklin

THE LOVE EGG

The Crater of Mt. Katmai Pictures by the National Geographic Society Expedition to the Valley of 10,000 Smokes.

SILVERMAN'S Orchestra

Playing the Overture Prelude in C Sharp Minor, by Sergi Rachmaninoff Haupt on the Organ.

MOON

"IT'S GOLDWYN WEEK" LET'S GO! Right Now To See KATHARINE NEWLIN BURTS

The MAN FROM LOST RIVER

Featuring HOUSE PETERS

MUSCLE

Last Times "PROXIES" Empress Rustic Garden DANCING Carl Lamp's Orchestra Refreshments The Classy Spot

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Ends Fri.

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Assisted by T. Roy Barnes in the best Hawley picture in months—

"HER FACE VALUE"

Comedy Special

MONTE BANKS in "His Dizzy Day"

Folks say, "There's nothing new under 'The Sun,'" which may be true; but there is something new 'in The Sun,' and it is—

TONY SARG'S "The First Circus"

Biggest novelty in pictures; something absolutely new; never before shown in Omaha.

SLEEPY-TIME TALES

THE TALE OF MRS. LADYBUG

BY ARTHUR SCOTT BAILEY

CHAPTER XXI. Plans for Winter.

It was almost fall. The nights—and some of the days—were chilly. Those that had spent the whole summer out of doors began to think about where they should pass the winter. Yet everybody was amazed by the news that Mrs. Ladybug spread broadcast. She said that she expected, soon, to go into winter quarters.

"Humph!" cried Daddy Longlegs' wife when she heard what Mrs. Ladybug was saying. "She never had any quarters, so far as anyone knows. Mrs. Ladybug hasn't been able to tear herself away from the orchard long enough to live anywhere except in the apple trees."

It was plain that Daddy Longlegs' wife didn't believe what Mrs. Ladybug was telling her neighbors. And there were many more folk that agreed with her.

Little Mrs. Ladybug smiled a knowing smile when she heard that her friends thought.

"They'll see! They'll see!" she said. "I'm going to spend the winter in the biggest and finest house on this farm."

That was all she would tell. She wouldn't breathe another word about her plans. And naturally, everyone became very curious. There wasn't a soul that wasn't agog to know what Mrs. Ladybug intended to do.

The neighbors asked her, begged her, teased her—some even threatened her. But she declined to answer. She said that if she told where she expected to pass the cold months everybody would want to go to the same place and maybe there wouldn't be any room left for her.

Perhaps some of her friends had intended to follow her into her winter quarters. Anyhow, many of them looked guilty when she made that remark. And a few of them looked angry and declared that Mrs. Ladybug was selfish.

"If the house is as big as she claims it is, it ought to hold a few extra guests without being crowded," they grumbled.

Guests?" said Mrs. Ladybug.

Common Sense

By J. J. MUNDY. Are You a "Knocker?"

Some parents have a habit of belittling their children or some members of their family in the eyes of those outside.

There is no more dispicable habit.

What good can it do to set people up against your own?

It cannot possibly make you out any smarter or better or more refined or more successful to make biting and stinging remarks which hurt the reputation of those who should be as dear as they are near.

It never raised one man to dig the prop out from under another.

And when it comes to your own flesh and blood you are not helping your child to get a start in the world when you complain constantly of its misdeeds.

And perhaps the things you are so bitter about are not misdeeds, but just whims, as you are whimsical in wanting things different, and as often as not the thing complained of is too much like the one who detests it.

Be prompt first, and justice should be brought to start Tom and Mary off with as many friends as possible, and a little propaganda of your wonderfully thoughtful and earnest offspring can be done much to make them want to live up to the reputation Dad and Mother have given them.

new

La Azora

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