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VERDICT NOT GUILTY FRY MURDER TRIAL

After Ten Days Hard Fought Legal Battle All Four of Defendants Are Given Their Liberty.

JURY IS OUT ONLY TWENTY-FIVE MINUTES

Only Two Points Voted Upon to Make up Verdict. First was Fake or Real Hold-up, then Guilty or Not Guilty.

The Verdict.

"We the jury find the defendants, E. W. Fry, Pete Fry, R. M. Todd and J. B. Lischke not guilty as charged in the indictment. (Signed) "J. W. FOWLER, "Foreman."

At 5 o'clock Saturday afternoon the jury walked out to consider its verdict. Just 25 minutes later it came back, with the message that permitted the four defendants to walk out of the court room, three of them free from any charge, the fourth under a \$15,000 bond to answer to a charge of forgery.

There was a joyous demonstration inside the railing when the verdict was read. Mrs. Lischke screamed shrilly and Mrs. Todd voiced her happiness in a manner scarcely less demonstrative. Mrs. E. W. Fry was not in the court room at the time. There was some applause from the crowd, which the court checked.

"About all I can say is that I'm delighted and that I thank my friends," said Judge Fry. He is to be tried here on the forgery charges still pending against him, but was released on his own recognizance and later made bond in the sum of \$15,000 with A. H. Carrigan, Edgar Scurry and T. R. Boone of Wichita Falls and A. P. Stewart of Graham, as sureties. Judge Fry will probably remain here until the forgery cases are settled.

"It's no more than we expected," said R. M. Todd. "You can say that we appreciate the many kindnesses shown us by the good people of Wichita Falls while we were in jail." Todd will remain here a day or two.

"Just say I'm mighty glad," said Pete Fry, the youngest of the defendants.

J. B. Lischke had no statement to make and told Todd to do the talking for him. He and his wife and two children returned to Fort Worth last night.

Affecting Scenes at Close. While the somber-clad, sad-faced widow of Tom Cherrymones knelt in prayer in the court room, while tears streamed unchecked down the faces of the loved ones of the accused men, the twelve men in whose hands rested the fate of E. W. Fry, Pete Fry, R. M. Todd and J. B. Lischke, charged with murder, filed solemnly out of the court room to decide the verdict.

At 5 o'clock Saturday afternoon, after more than twelve hours of eloquent, brilliant oratory by counsel the tumult and the shouting died and the jury began its vigil over the fates of the defendants. Sad scenes

marked the closing hours of the trial. Consoling or condemning words by counsel brought unbridled grief to the three women, Mrs. E. W. Fry, Mrs. R. M. Todd and Mrs. J. B. Lischke who sat grimly by their husbands' sides while the lawyers plead. Mrs. Cherrymones sat directly in front of Judge Nicholson, a Testament in her hands and as Judge Martin, closing his argument for the State, appealed for a verdict that would not, as he said, stain the memory of her husband, her face was uplifted and her lips moved silently. Before he concluded, she knelt at her chair, her face bathed in tears.

Much Oratory.

Argument, which began early Friday afternoon, continued through the afternoon, through a night session Friday night, was resumed at eight o'clock Saturday morning and continued unchecked save by the dinner recess until five o'clock in the afternoon. There were masterpieces of oratory provided for the appetites of the hundreds of people who crowded the court room to the extreme limits of its capacity throughout the long speeches and who never seemed to tire, though many of them had to stand for hours.

Friday night, after Leslie Humphrey had opened for the State and Judge Carrigan for the defense, in the afternoon, Jordan Y. Cummings of Fort Worth spoke for the defense and was followed by Fay Marshall of Graham, the youthful county attorney of Young county. W. P. McLean of Fort Worth was the last speaker Friday night, closing at 10:40 o'clock. Saturday morning A. H. Britain for the defense and Orville Bullington for the State were heard, then R. E. Taylor of Henrietta began his closing argument for the defense, concluding after an interruption for dinner. He spoke for over two hours, then P. A. Martin made the concluding presentation on behalf of the State, starting at 2:40 and ending at 5 o'clock, consuming not much over half of the remainder of the time allotted to the State.

The wife of W. P. Jeter, one of the jurors, was reported very sick Saturday but this fact was concealed from the juror until after the verdict was brought in.

Trial Took Ten Days.

The case has been one of the most arduous in the history of Northwest Texas jurisprudence. It consumed ten days and was certainly unrivalled in this coun-

ty in the matter of public interest and attendance, though it did not originate within the confines of Wichita county. Of the capacity crowds that have been packed into the all too skimpy court room, a large part has been women who were present in larger numbers than at any previous trial in this county. Hundreds of Young county citizens were in constant attendance, in addition to the witnesses from that section.—Wichita Times.

Only Two Votes Taken.

One of the jurors told Mrs. E. W. Fry that the jury took only two votes in making up its verdict, the first one being whether the jurors thought the hold-up to be a "fake" or "friendly" hold-up. Unanimous opinion being that it was a fake; the next vote was "guilty or not guilty" and each of the twelve voted "not guilty."

FRY'S BOND FIXED AT \$1,000 EACH IN TEN CASES

Parties Expected From Graham This Afternoon to Provide Bond—Cases Not Set.

Bond of \$1000 in each of ten forgery cases was fixed in the 78th district court this morning for E. W. Fry, the former county judge of Young county who was acquitted of murder, with three other defendants on Saturday. It was expected this bond would be furnished this afternoon or as soon as some parties from Graham reach the city.

Judge Fry is still here and will probably remain until the forgery cases are tried. These cases have not yet been set, as District Attorney Leslie Humphrey is busy in district court at Henrietta and the setting will depend largely upon when he is able to return.—Wichita Falls Times.

Todd to Live in Ft. Worth or Wichita Falls.

"It feels good to be free in the open air," was the first comment of R. M. Todd, former Fort Worth resident, who was here Tuesday following his liberation from jail at Wichita Falls after being held two months to wait trial in the celebrated Fry case.

Todd believes that two months' incarceration entitles him to give expert testimony on the Texas penal system. As needed reforms, he urges classification of prisoners and placing the feeding of prisoners in the hands of the county commissioners instead of sheriffs. He expects to make his home in Fort Worth or Wichita Falls.

The Fry case, he says, is not an instance of miscarriage of justice, but a miscarriage of plans.

"In view of the fact that a great many people are of the opinion that crime has not been meted out to the guilty parties, I desire to say," he said, "with reference to the connection I had with the alleged crime for which I have been tried and acquitted, I played the part I did only as a friendly act and not believing there would be any violence to anyone. Everyone who knows my disposition must admit I have always been loyal to my friends. To those who have been bitter against me, I wish to say that I hold no ill feeling toward them. I hold no ill feeling toward them. I am willing to forgive them, for they themselves must answer for so doing."

"I consider we won as great a battle as ever was won in a criminal case and it was as just a verdict as ever was returned. This trouble has been a great lesson to me. No one can ever realize how much they should appreciate freedom until they have been deprived of it. My past life hasn't been what it should have been, and when I was made to realize my position most clearly was when I had to look through the bars at my dear, sweet boy."

"My two months' stay in jail has forever convinced me of two important improvements the great State of Texas is in need of. First and the most important is the classification of criminals both in jails and penitentiaries. The second is that the feeding of prisoners should be taken from the sheriffs and be placed in the hands of the county commissioners. At some future date I expect to give a full explanation of my views from my own observations. I will make my home either in Fort Worth or Wichita Falls."—Fort Worth Star-Telegram.

S. T. Needham brought The Reporter a gourd a few days ago, the handle of which measured thirty-three inches. Many times have we dipped a long-handle gourd into a cool spring in old Eas' Texas, and imbibed so freely from its depths that about the waist line we resembled considerably the famous pollywog.

BIG GRAHAM DELEGATION VISITS WICHITA FALLS

Crowd Attends District Meet of the University Interscholastic League.

Leaving here last Friday morning, a crowd of approximately thirty enthusiastic Graham High boosters, ranging all the way from our superintendent to a diminutive ten year old, gathered at Newcastle to catch the fast express for Wichita Falls. On arriving and getting settled, we discovered that the preliminaries in athletics came off that same afternoon. Graham qualified for five events—and entered three others, in which no preliminaries were held.

The next day in the finals, Holt distinguished himself by winning eleven of the sixteen points which Young county made. Suite and Harmon of Olney won two and three points in the pole vault and high jump, respectively. Holt was decorated with two ribbons, having won first in the shot put (38 feet 9 inches) and second in the discus. He also made fourth in the hammer. Considering that this is our first year in the district meet, we should be content with fourth place. We are on the map athletically. You can hear predictions everywhere that we will "come clean" next year.

Juanita Adair won the Senior Girls' declamation with ease. She was never in danger at any stage of the preliminaries or finals. That she is proud of her diamond la valliere is not to be wondered at, when she won it in the district meet. We were so unfortunate as to lose the debate and Boys' Senior declamation in the preliminaries—but should we want to hog it all?

The crowd came back Sunday evening well satisfied, and vowing to win more than ever next year.

Special Class Program.

The Baraca, Philathea and Fidelis Sunday school classes of the First Baptist Church will render the following programme Sunday evening, April 25th, at 8 o'clock. All are cordially invited to attend, especially the young people of the town.

Violin Solo.—Mr. J. F. H. Crabb.

Address.—Mr. B. W. King. Philathea Class History.—Miss Bertie Davis.

Class Song.—Fidelis Class. Baraca Class History.—Mr. J. C. Rickman.

Male Quartette.—Baracas. Fidelis Class History.—Miss Judith Carmack.

Reading.—Miss Beulah Allen. Piano Solo.—Miss Adele Jeffery.

Don't Worry Club.

The Don't Worry Club had a very pleasant meeting last Friday afternoon with Mrs. Sam Dowdle as hostess. The time was enjoyably spent with much talk and laughter, and fingers were kept busy with various kinds of fancy work.

Dainty refreshments were served the members and following guests: Mesdames V. E. Eddleman, W. C. Bell, J. E. Dowdle and R. V. Tidwell.

Mrs. Edgar Matthews will be hostess next week at the residence of her mother, Mrs. J. T. Cunningham.

Reporter Pro tem.

Z. A. Hundson, W. J. Donnell and Rev. Gaines B. Hall left Wednesday for Haskell, going by Throckmorton. They are going as commissioners to the meeting of Presbytery of the Presbyterian church.

MILLER BEND

Nothing could be more out of harmony with Nature than a "spring poem" just now Candy Kid. Why it would get as cold as apple blossoms in a snow storm. Besides, there is no song in my heart these days. But don't tell the Kid and Dreamy Eyes, and Salemite about it, for they had rather see me cry than to hear me laugh and sing at any time; and I have no special desire to please them. Don't tell them, Candy Kid, please.

And you think "farm loans" would help us old renters to "pay as we go" do you Ignorant Voter? Beg pardon Ignorant Voter, but when I read that I just couldn't help looking at your name. And say, Ignorant Voter, let me suggest that you change your name before somebody does suspicion something.

Say, Dreamy Eyes, that certainly was a high compliment Salemite paid you when he said your answer to my lecture "covered every inch of the ground." Will say, if Salemite is correct you accomplished something that he has never been able to do. But for goodness sake, Dreamy Eyes, don't ever mention "holiness" again. See, you have given the Kid another spell of the "jerks." And he'll lose a crop if you mention it any more.

Like as not he will accuse you of being a "holiness" now. You know you said something about "sin hath no more dominion over us," and if he gets it into his little "nogin" that you are a holiness you never can convince him that you are a Baptist. The word "holiness" just simply runs him wild, scares everything else out of his little pate. "Holiness" has far more terrors for him than does its extreme opposite "hellishness." Don't say it any more, Dreamy Eyes. Say anything else you want to or about me, but for the Kid's sake don't say—er—that awful word any more, even if the Bible does say without it no man shall see the Lord.

Now, Dreamy Eyes, will you please explain to the Kid that those are the words of Paul talking or writing to the Hebrews, and not the words of Plover Boy. See Hebrews 12:14 "Wish I did measure up to that command. And, please bear in mind that Plover Boy is a Methodist regardless of what Kid says or thinks. And a Methodist is just big enough and broad enough to allow other people to believe and practice their own faith, and they will fellowship a true Christian of any other church or creed. And, I believe with the Wesley's and Mr. Fletcher and Adam Clark, that God expects His people to live "holy lives" and that it is their privilege to possess that perfect love that "casteth out fear."

Do you all understand what my religious belief is now? I have tried to make it plain. Of course, I am not talking to the Kid, what's the use?

Goose, I accept your definition of a suffragette but it matters not what the ladies believe or what they wear they are pretty aren't they Goose? And we love them, don't we? But somehow we love a womanly woman best, don't we, Goose? I just can't help feeling a little bit awkward in the presence of a manish woman. You see Mrs. Plover Boy is a suffragette about half the time. When we talk about prohibition and her boys going to war, she wants to vote, but about half the time she is just as good as she can be and doesn't want to vote. And this is perhaps the reason why I love her so good, about half the time.

Old Resident, I don't know who you are, but I do know that you and your husband are good judges of reading matter, and

certainly showed good taste when you renewed for The Reporter.

I can't furnish a grocery statement, Dreamy Eyes, as I have been boarding with Mrs. Plover Boy, and she won't assist me in making out a statement. Because, she says my statement about the dry goods was full of "errors" but that's not the way she said it.

The Reporter was sure fine last week to be edited by "the devil" wasn't it? Think he and the editor must be kinfolks.

Our school election was duly held and M. L. Rickles and O. D. Higgins elected trustees to succeed G. W. McAlister and Walter Dozier.

Gringo, as to our compulsory school law being violated will say. We do not doubt but that it will be violated frequently, but do you know of a single law on our statutes, anywhere, either civil or criminal, that has not been violated somewhere at some point every day in the week for three hundred and sixty-five days in the year ever since it became a law?

Of course, I appreciate the fact that there are many little fellows who will not be able to dress as well as some others will but that has always been the case and will always be, socialism or no socialism, and no living man sympathizes with them more than I do; because I too, have worn the jeans clothes and brogans to school. Part of the time the jeans was made on grandmother's loom and the brogans on grandfather's last. I know what it means to be jeered at and slighted on account of poverty, too Gringo, but the thing that hurt me worst has always hurt me, hurts me now and will always hurt me, was "non-attendance at school."

True, it is discouraging to be laughed at at school but if a boy or girl has the right kind of mettle in them they will succeed if given the chance. Take Thomas A. Edison, for instance, the world's greatest inventor, in a way. He was once a boy, "little Tom," and one of those discouraged "drones" in school. You know his teacher sent him home once. Told him to go home and tell his mother that it was no use to send him to school as he would never learn anything. But his mother, true mother that she was, took "little Tom" by the hand and led him back to school and delivered a lecture to that school teacher that I'll bet he never forgot. And Tommy went on to school and on and on till he reached the topmost round on the ladder of success and fame and now we are all looking up to him. Plover Boy.

R. G. Taylor of Indian Mound came in Tuesday to transact business in the city. Mr. Taylor brought with him a bunch of wheat measuring 33 inches in length, which he had cut that morning from the W. W. Williamson farm. He stated that wheat in his community was exceptionally good this year, and would average more than 18 inches high. R. G. is a real booster; he believes in Young county, and that where there is a moderate amount of water and a good supply of energy, Young county dirt will yield with the best of them.

Mrs. J. H. Stevens and Mr. and Mrs. Tom Reynolds of Mexia, and Mrs. Keen and two children of New Orleans came in Tuesday night to spend some time with Mrs. S. R. Jeffery and family. They will also be Mrs. Jeffery's guests at Ingleside Ranch.

W. C. McCombs of White Rose was a pleasant visitor at The Reporter office while in town last Friday.

CONCLUSION OF TESTIMONY IN FRY MURDER TRIAL.

Last week a portion of the testimony of B. A. Gatlin and R. M. Todd was given. The balance of same appears below.

Gatlin's testimony continued.

In conversation with Bunger I did not tell him that Ol Brown would get them in bad, I told him that Ol Brown would get himself in bad. I had reason to believe it was. I did not know the deal was on but understood that it would be a friendly deal. He said he thought he could make it all right with Riley. I told the sheriff I believed he better put on another guard as I thought there was going to be a run made over there for those records. I did not go to Todd's room and discuss this matter with him. After going to the court house that night and seeing Dollins and Cherrymones I did not go and meet Todd and tell him that the boys seemed restless, and Todd did not say that he would go back to Judge Fry's house and if they had not already gone he would stop them. I did not agree to go to the Light Plant so I would not be there when they came, in order that I might prove an alibi. When I got back to the court house after the shooting I met Dollins and Cherrymones, before I got to them I "holled" and ask who it was. Riley said it was he and Cherrymones and I asked him if he was shot and he said no, Tom was shot. I went with them over to the telephone office. Tom said Pat Carlton shot him and he could only recognize two of them, he said Todd was there, he could recognize him. In the presence of Dollins, Dr. Griffin, and I don't know whether anyone else was present or not, I heard Tom Cherrymones say "Tell the county judge I stayed as long as my ammunition lasted." I did not hear him say "like I promised." He said "Tell the judge I have done what I agreed to, I stayed until my gun was emptied." I never heard him say I recognized Pat Carlton and thought I recognized Todd. I was not there all the time the doctor was. I do not remember seeing a light in the county attorney's office that night from about 6 o'clock up until 9 o'clock. I never saw any automobile about 3:30. I heard an automobile immediately after the shooting but I did not know who it was. I think I had about three conversations with Todd.

Re-direct Examination.

The second conversation I had with Todd was at night. I think on the west side of the square. I see Todd at night more than any other man I know of. In this second conversation with Todd he told me that Judge Fry was as guilty as hell and said if he did not get those papers over at the court house that he was a blowed-up sucker. He said if he could do anything for Judge he would like to do it. I said, "How are you going to do anything for him if he is as guilty as hell?" "Well," he said, "these lawyers will get all the money anyway and I just as well have some of it as them." I told him it was hard to help a man unless he was in the right. He asked me if I knew where the papers were kept. I told him no, he said he was going to see Ol Brown and see if he knew the combination on the safe in the sheriff's office. I told him he would get in bad if he didn't watch. In the next conversation he asked me if I had seen Judge Fry but in this conversation there was nothing further said about Judge Fry's trouble. He said that Judge Fry wanted to see him; I do not remember the night of this conversation. I think I advised the sheriff to increase his guard. I told him I thought there was some kind of frame-up; I think I told him this before Cherrymones was put on that night.

Re-cross examination.

I think Todd said in one of the conversations that Fry was not guilty; that it was a scheme they had put up on him to try to get him out of the legislature.

Witness excused.

J. E. Workman, witness for the State, testified as follows: I was in Graham the night Tom Cherrymones was killed, I heard the shooting. I did not go down to the scene of the shooting until about daylight. In looking around over the ground I found a piece of blue serge. (The attorney, handing witness a piece of serge asks) "Does that look like it?" Witness answers, "Yes, that's it." I found it about 150 yards from the court house, between the court house and the Presbyterian church, I turned it over to the sheriff.

Cross examination.

I don't know whether they had a masquerade ball that night before the shooting or not.

Witness excused.

Joe Mabry, witness for the State, testified as follows on direct examination: I was in Graham on the night Tom Cherrymones was killed. I went down town about 8 o'clock that morning. I found a mask in the court house square. (Witness being shown a mask) answered that it looked like the one he found. I found it southeast of the court house, about fifteen feet inside, that would be the general direction a person would go from the court house towards the Presbyterian church if he cut thru. I found it about 15 feet south of the wagon gate. The mask was turned over to Judge Stinson.

Cross examination.

I do not remember that I saw Ol Brown or Reynolds that night.

Witness excused.

April 12, 1915.
G. B. Johnson, witness for the State, testified on direct examination, as follows: I was at home the morning of the shooting. I heard the shooting but I could not say how many shots

were fired; I got up when I heard the shooting and went out on the street about fifty steps. I saw two men pass the Methodist church going towards Judge Fry's house; I did not know who they were. I suppose I was about 30 or 35 steps from the men when they passed; they went to Judge Fry's house; they were medium sized men. I stepped behind a telephone post until these men passed by; I did not see anything more of the men.

When they got into Judge Fry's house they turned the light on; I went right back home.

Cross examination.
I did not know who these men were; I could not tell. They did not have on overcoats. I did not see or hear any automobile.

Witness excused.

Miss Ethel Johnson, witness for the State, on direct examination, testified as follows:

I was working at the Southwestern Telephone office in February of this year. I am acquainted with Mr. R. M. Todd. On Tuesday afternoon on the 23rd day of February he called a Mr. Lischke over the phone; I made the connection and got Mr. Lischke for him at Ft. Worth; I heard part of the conversation. I heard Mr. Todd tell the party he was talking to that the deal has been effected all right and the party in Ft. Worth said, "I will be out on the 5 o'clock train." Mr. Todd talked from the telephone office.

Witness excused.

H. M. Jones, Jr., witness for the State, on direct examination, testified as follows:

I was at home at the Belmont Hotel the night of the killing of Tom Cherrymones. The train gets into Graham about 9 o'clock, I generally meet the train; I think I met the train on Friday night before the killing. "Do you know this gentleman sitting back here" (pointing out Lischke) "I have seen him. After the train came in that Friday night he came to the hotel; I took him to the St. Louis Restaurant for supper. We don't serve meals after the train comes in. I did not see him register at the hotel but I saw the name he registered by. "What is that Henry?" "A page out of the hotel register." "Which is the name that he registered by that night?" "John Barnhart, from Dallas, Texas." I don't know where he stayed that night; I saw him down in town the next day; I don't know what time he left there.

Mr. R. M. Todd and his wife stayed at the Belmont Hotel at that time, and Pat Carlton and Doc Carlton both stayed at the hotel at that time. At that time Mr. Todd was not engaged in any business at all. I think Pat Carlton worked for Mr. Todd some-out-at-his-farm-and-when-in-town he stayed at the hotel. Doc Carlton worked at the livery stable; Pat and Doc were both single men. Pat Carlton was in the room at the time of the killing; he ate supper at the hotel that night. Mr. Todd was there for supper too. After supper that night I went to Mr. Todd's room trying to get up a "forty-two" game; I asked him if he wanted to play forty-two. I did not see Pat Carlton in his room, but I think he said Pat and I are busy with some papers but I will be there directly. He did not come to play forty-two; he was before train time that I saw him at his room. I sleep in the room with my father and mother. I did not hear the shooting that night. The next morning mama woke me up. Mr. Todd came in our room and sat on the trunk and talked to mama and papa. It was about 4 o'clock when I first noticed what time it was. Mr. Todd went out in the office and talked to somebody over the phone. He just asked where the shooting was and asked if there was a fire in town. He just called up central. I did not know who central was at that time. He used the Independent phone.

Cross examination.

Mr. Todd had run the hotel before we got it; I had seen him talk over the phone there before. I never heard mama say, "I am glad you were here so they can't accuse you of the shooting, you was here in the hotel when the last shot was fired." I remember of talking this matter over with Judge Martin, at his office. Father and mother may have spoken little bit; he went out into the office together that I remember of.

Witness excused.

H. M. Jones, Sr., witness for the State, on direct examination testified as follows:

I was running the Belmont Hotel at Graham. Mr. R. M. Todd run this hotel before I got it; I think I took it over about the first of January. Mr. Todd remained there as a boarder after I took charge of the hotel. Pat and Doc Carlton also boarded and roomed there. I think I have seen J. B. Lischke; I think I saw him at the train on Friday night before the killing. He stayed at the hotel that night and registered at the hotel as John Barnhart, from Dallas, Texas. "Is that a page from your hotel register?" "Yes sir." (Witness points out the name of the register.) This page from the Belmont Hotel register was introduced as evidence. This man stayed at the hotel from Friday night until Sunday morning. I could not say that he was at the train Sunday morning; he settled for his account; he ate breakfast at the hotel Sunday morning. I think Mr. Todd was at the hotel while this man was there, but I never noticed them together. I don't know whether Mr. Todd came in on the train that Friday night with him or not. I did not notice him at the train. I meet nearly all the trains; I think I met the train on Tuesday night but don't remember seeing Todd or this man get off the train that night. The train gets there about 9:20. I see all the passengers who get off the train on the side next to the depot and I think I would have seen them if they had gotten off on that side. I saw Todd about five or ten minutes after the shooting. He came into our room and asked if we heard the shooting. When he came in there his appearance was about the same old role. I never noticed anything out of the ordinary; he did

not stay there on the trunk but a little bit; he went out into the office and called up somebody over the phone and my recollection is that he asked what the shooting meant. Mr. Todd went down to the Independent Phone office, I think Cherrymones had been moved to the sanitarium.

Cross examination.

It was my understanding that Mr. Todd was sowing oats on his farm in February, and Pat Carlton was working for him. "Didn't that man Barnhart come there at that hotel sometime in November?" Doesn't that register show that he registered there 11:14?" "I cannot see to tell." "I have no feelings in this case at all." "My wife woke me up and I heard three or four shots." Everybody was talking about the shooting there in Graham. There was a little feeling between Mrs. Todd and my wife but I do not remember of hearing my wife order Mrs. Todd to leave. If I remember right I did not carry anyone from the train to the hotel on Tuesday night before the killing. I suppose somebody got off the train that night but I don't know who got off.

Witness excused.

Mrs. H. M. Jones, witness for the State, on direct examination testified as follows:

I knew Pat Carlton in his life time; I think he stayed at the hotel when we first took charge of it. Mr. Todd Carlton has been boarding there ever since we took charge of the hotel. He works at the livery stable. Mrs. Jones testified practically the same as H. M. Jones, Sr.

Doc Carlton, witness for the State, testified on direct examination as follows:

Pat had been working for Mr. Todd the last three weeks before his death. Pat and I boarded at the Belmont Hotel; Todd also boarded there. Pat and I have separate rooms at the hotel. My room is No. 6; I don't know the number of Mr. Todd's room but I think it is No. 4; it is the corner room next to the street on the west side. Pat's room was up stairs. I saw my brother, Pat, and Mr. Todd at the hotel on the night of the shooting. I did not see them that night after supper. The shooting woke me up the next morning; I think I heard something like twenty or twenty-five shots. About twenty minutes after the shooting Todd and Lischke came up in front of my door and came in and Todd says we can't come in here somebody is in here, and then he asked me to let this man sleep with me, and if anything came up to say that this man slept with me that night. Lischke was dressed and Todd had everything on but his coat and hat. I didn't know Lischke but I had seen him at the hotel before and I recognized him as the man I had seen there before. Todd didn't tell me who the man was; he asked me if anybody questioned him what time said he say he went to bed. I said "9 o'clock will do." He said "No, that won't do the train comes in at 9 o'clock." He said he didn't know whether he ought to leave on the morning train or stick around that day; I don't think he decided what he was going to do. I did not go to sleep after that and I don't think Lischke did. About an hour after that the sheriff came and arrested Lischke. When these men came into my room I could smell powder smoke; I am familiar with the smell of powder smoke. I think it was about 9 o'clock when I first saw my brother, Pat, that day; he was at Judge Fry's house. I was with him the morning he died. He was close to 9 o'clock. He was taken from Judge Fry's house to the sanitarium before he died. When I first went to Judge Fry's house I saw Wallace, Judge Fry, Pete Fry and some stranger; I did not see Mrs. Fry. Pete Fry was wounded across the forehead. I talked with my brother, Pat, before he died.

Witness excused.

Will H. Mays, Manager Independent Telephone Co., witness for the State, on direct examination testified as follows:

I was at the telephone office the night Tom Cherrymones was killed. I was asleep at the time the shooting commenced but it woke me up and I heard most all the shooting. I saw Cherrymones after he was brought to the telephone office; he was brought there I suppose about five minutes after the shooting. Riley Dollins and Mr. Gatlin brought Cherrymones. The phone office had a light in it; the night watchman, Mr. Gatlin, had a key to the door, he opened the outer door; the office is upstairs; the stairway leads up direct from the street to the phone office. When they came into the office I asked him if he was hurt bad. He said "Yes, I am hurt bad, I would like to lay down." and I says "There is my bed, lay down." He unbuckled his six-shooter and laid down, and I believe he asked if I had gotten a doctor. I told him I had, I was calling the doctor at the time he was coming in; Mr. Gatlin told me to call the doctor as they were coming up the stairway. I called Dr. Griffin; I don't know how long it took the doctor to get there, only a short time; I am sure the Doctor came in a car; I heard a car when he came up, he afterwards sent the car away. He told the Doctor he knew who shot him. He said that Pat Carlton shot him. That was the first statement he made to the Doctor, and he said Todd was right by him; he says I know them; he said there were anywhere from four to six in number. I could not tell just how many there were but those two were standing out where I could recognize them. I judge Cherrymones was there in the phone office an hour, maybe longer, before he was taken away to the sanitarium. He was there quite a little while. While Cherrymones was there in the office I had a phone call from the Belmont Hotel. I took it to be Mr. Todd; I don't know how long Cherrymones had been in the office when I got the phone call from the Belmont Hotel because I was busy with other calls, right around twenty minutes, the first time he called I think it was just before the Doctor came in or just about the time he

came in. He wanted to know what the shooting was about and I told him the shooting was at the court house and that Tom Cherrymones was shot; he asked if he was shot bad and I told him I didn't know. I don't know how long it was after that when I got the second call from the Belmont Hotel; it was some little bit, I could not say; I think this call was from Todd; he asked me if I considered Tom dangerously hurt, I told him I didn't know; that was about all that was said; he did not call me any more. About five minutes or longer after Tom Cherrymones was taken away from the telephone office Mr. Todd and Mr. Jones came to the phone office; Mr. Todd asked me where they had taken Cherrymones and I told him to the sanitarium, and he again asked me if I considered him dangerously hurt, and I told him I thought he was. He asked me if I knew who did the shooting and I said no; he said that the shooting had wakened him and Mr. Jones and he supposed it to be a fire. Mr. Todd seemed to be restless and uneasy.

Cross examination.

I was there in the phone office all the time the Doctor was there; I did not hear Cherrymones tell Judge Stinson "I done like I promised, I stayed as long as my ammunition lasted." They brought Cherrymones over there right after 3:30; nobody was there when they brought him; after they came I believe Wallace Wallace was the next person who came; he was there when the Doctor came; the Doctor was the next to come, and I believe Dr. Gant came then after that; John Bower wasn't there, I think they were there something like an hour possibly, I don't remember who all was there when they started out to the sanitarium. Judge Stinson came up there; I think Judge Stinson took hold of Cherrymones but I did not hear Cherrymones tell him "I stayed as long as my ammunition lasted." I can't say how far Dr. Griffin was from them when Stinson shook hands with Cherrymones; he was closer to them than I was; I had some difficulty in hearing all that was said. Cherrymones said Carlton shot first. Riley Dollins was there in the room somewhere, I do not think there was anybody else present at the time Cherrymones made this statement; Cherrymones told me that Pat Carlton shot first.

Witness excused.

George Black, witness for the State on direct examination testified as follows:

I remember the night of the killing; I know Pete Fry, the last time I saw Pete Fry before the killing was on Monday; he bought some .38 S. & W. and some .38 automatic cartridges, as best I remember that was on Monday before the killing. I think he had just wanted one round; I don't know what he meant by one round; I told him we did not break the boxes, but I think I broke a box of S. & W. and he took a whole box of the automatics.

Witness excused.

Dee Harkey, witness for the State, on direct examination testified:

I was rooming at the Columbus Rickman residence at the time Cherrymones was killed; I heard the shooting and got up and went out on the porch; I saw somebody leave the court house and go in the direction of the Presbyterian church; I don't know how many there were; I think about three, possibly four, they seemed to be laboring under a little difficulty, I was about 50 or 60 yards from them across the street; in a few minutes I saw another person going over that direction, he wore a grey overcoat that struck him about the knees; he was walking pretty fast and went in the same direction as the other men had gone; he was on the opposite side of the street from where the other men passed in about 30 or 40 feet of where I was standing; he was an average sized man. I don't know where any of these men went.

Cross examination.

I did not tell anybody that I knew who that man was; I think I told Ragdale that someone was going to try to prove it was Fay Marshall. I think I drank some beer coming up here. I did not say that Fay Marshall was going along there and that they intended to get Judge Fry down there that night and kill him. I heard some twenty shots, the shooting woke me up; when I heard the shooting I got right up and went out without dressing; it was something like five minutes after I got out on the porch before I saw these men going towards the church, they were running. It is about seventy-five yards from where I room to Mr. Tidwell's house, it is about the same distance to the church; I cannot say the two men stopped at the church, I could not see them; I could not tell that they were dragging anything but I am certain they were men. I know about where Jim Smith lives, he lives about 200 or 250 yards from where I first saw these men, I could not have recognized the men from his house, they were in the light of the street light when I first saw them or I could not have told whether it was a man or a cow. They were not close to the light at all.

Re-direct examination.

Who was it that told you that they were going to try to prove that it was Fay Marshall? It was Tom McKinney; he didn't say who was going to say that.

Cross examination.

Is Tom McKinney Fay's brother-in-law; Yes sir.

Witness excused.

Walter Morris of Newcastle, witness for the State, on direct examination, testified:

I know Ol Brown, I know Pete Fry, I saw Pete Fry in Newcastle Sunday night before the killing of Tom Cherrymones; I guess it was about 10:30; I saw him at the hotel, I don't know how he came to the hotel, I asked him to have a seat, he said he wanted to buy some cigars, and I think he asked if Ol Brown was there.

Cross examination.

I am not positive that he asked for Ol Brown, but I think he did.

J. J. McCaslon, of Newcastle, witness for the State, on direct examination, testified as follows: On Sunday night before the killing I was at the Arlington Hotel; I know Pete Fry, I saw him there at the hotel about 11 o'clock that night; he walked in and inquired for Ol Brown. Witness excused.

G. Harlan Bunger, of Newcastle, witness for the State testified on direct examination as follows:

I was at home in Newcastle on Sunday night before the killing of Cherrymones; Ol Brown was there, somebody came there and called Ol. I don't know who it was; I did not see him I suppose Ol left with him; he went out.

Witness excused.

Mrs. I. M. Cherrymones, witness for the State testified as follows on direct examination: I was twenty minutes to 4 o'clock when I was first told of my husband being shot; they told me he was shot about 3 o'clock; I think it was Mr. Mays told me over the phone, I went down there as soon as I could get there I saw my husband when I got to the sanitarium I stayed at the sanitarium and was with him most of the time; he was sane all the time; he could talk up until the last three breaths; when I first went in the room he said he was shot and in awful misery, then he said pass this off the best you can and raise my little children the best you can.

No cross examination.

Miss Gladys Cherrymones, witness for the State, on direct examination testified as follows:

I was at Mr. McCaslon's at the time my father was shot; it was about 4 o'clock when mama notified me, I went to the sanitarium where he was; I was with him all the time; I went to breakfast about 8 o'clock and then went back Papa told me of two men, he said, "How could I tell them when they were in the dark and I was in the light." He said he recognized two of the men, one was Pat Carlton, that Pat Carlton was his brother-in-law; the other one was Rufe Todd I did not hear him say anything else about how he got hurt; I was there when he died; he was sane up until the last three breaths and suppose he was then but he was too far gone; he seemed to know everything.

Not cross examined.

Riley Dollins, one of the guards, witness for the State on direct examination testified as follows:

I was employed by the county on the 9th day of February this year to guard the court house at Graham. I went on duty about dark in the evening and stayed on until about daylight in the morning. I guarded the court house alone from the 9th day of February until the following Tuesday. Tom Cherrymones was then put on to guard with me. The commissioners' court hired me, and the commissioners' court employed Cherrymones; I was present when they employed him. We stayed in the sheriff's office when we were in the house. We would make a round out around the court house about every thirty minutes. We kept a light in the center of the hall in the court house. I saw R. M. Todd around the court house; he would pass back and forth by there a right smart, he would often talk with me. He never did make any kind of a proposition with reference to getting those papers out of the vault and nobody else ever made me that kind of a proposition. I never made any kind of an agreement with anybody to allow them to get into that vault; I did not know the combination to the vault. On the night before the killing the county attorney, one of the commissioners I believe and maybe the county judge were at the court house; it must have been 9 o'clock when they left. Tom and I had two pistols and a shot gun, it was about 8 o'clock when we made the last round that night before the shooting. Right after we made our last round before the shooting the night watchman

came over and told us he had seen two men. We had asked him to inform us of he saw anybody; when we started on our next round we went out at the north side of the court house and went down the walk a little ways and started east, these parties were close to the cistern and the first thing that attracted my attention they said "Stick them up you

"I will never do it," and the shooting started. I think Cherrymones fired the first shot. He had two pistols and I had a shotgun; I cannot say how many shots were fired; he was a little nearer than I was to the men, he was to my left; there is a large oak tree standing north of the court house about 40 feet; I was about four or five feet east of the tree and Tom was a little east of me. I could not tell from the flashes of the guns whether there were more than one man shooting on the other side, but I think there was. To the best of my knowledge there must have been anywhere from four to six men on the other side but I cannot say how many there were. I emptied my gun; one time it hung and I must have shot a little high; I think it was about the third shot when my gun hung as well as I remember, I used black powder and it made considerable smoke. I heard more than one voice on the other side but could not tell how many there were; I could tell there was more than one. The shells I had were loaded with buckshot, they were lead shot Tom and I shot sixteen times all together. I don't know how many shots were fired from the other side, but there were several. When the last shot was fired I was standing about where I was when the first shot was fired. I did not know that Cherrymones was shot until after the shooting; we went to the telephone office; I don't know where the other parties went to I could not distinguish who any of the men were. I think all the shots I fired hit the court house, and showed to be about the height of the average man except one went high when my gun hung. I had nothing to go by only the flash from the guns on the other side Cherrymones was a little closer to them than I was, not much; we were between the lights and the attacking party; the cistern house is something like ten feet square I suppose, it is roofed over, and latched part of the way; the door to the cistern house leads towards the court house; I cannot say just where these parties were but I think they were between the cistern house and the court house. This shooting was done in Young County, Texas.

Cross examination.

Tom Cherrymones and I were about eight or ten feet apart I suppose; I suppose I was about 40 feet from the other parties. I shot my gun six times and Cherrymones shot ten times, he had the two pistols; Cherrymones had a better chance at them than I did as he had better light on them, but I cannot say that the light from the court house shone upon the cistern. I did not run that night; if Cherrymones made that statement he was mistaken. If Cherrymones said there were only three people there that night would you say that there were more than three? No, but I think there were more than three. To the best of my knowledge Cherrymones fired the first shot. I did not see anybody fall when he shot.

Asked about Todd and Mr. Cherrymones having a conversation just before the killing, Mr. Dollins said: I did not see Mr. Todd and Cherrymones standing in the east door of the court house talking together at any time before the killing. I did not see Gatlin come there and talk with Cherrymones in the east door or north door of the court house. Cherrymones did not tell me that Gatlin ever came over there after night to have a talk with him. I suppose that it was understood in Graham that we were guarding the records. It was common for people to pass through the court house yard but I don't know that it was

(Continued on Page 3.)

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SHERIFF'S SALE.

The State of Texas, County of Young: By virtue of an Execution issued out of the Honorable Justice Court, Precinct No. 3, of Young County, on the 18th day of March, 1915, by the Clerk thereof, in the case of L. C. Counts vs. R. E. Hill No. 312, and to me, as Sheriff, directed and delivered, I will proceed to sell, within the hours prescribed by law for Sheriff's Sales, on the first Tuesday in May, A. D. 1915, it being the 4th day of said month, before the Court House door of said Young County, in the City of Graham, the following described property, to-wit:

320 acres of land situated in Young County, Texas, original grantee T. E. & L. Co., abstract No. 442. Also 300 acres of land situated in Young County, Texas, original grantee, T. E. & L. Co., abstract No. 962, levied on as the property of R. E. Hill to satisfy a judgment amounting to \$77.92 in favor of L. C. Counts and costs of suit.

Given under my hand, this 30th day of March, 1915.
M. M. WALLACE, Sheriff.
By Sam Dowdle, Deputy.

SHERIFF'S SALE.

The State of Texas, County of Young: By virtue of an Execution issued out of the Honorable Justice Court, Precinct No. 3, of Young County, on the 18th day of March, 1915, by the Clerk thereof, in the case of T. J. Routen vs. R. E. Hill No. 311, and to me, as Sheriff, directed and delivered, I will proceed to sell, within the hours prescribed by law for Sheriff's Sales on the first Tuesday in May, A. D. 1915, it being the 4th day of said month, before the Court House door of said Young County, in the City of Graham, the following described property, to-wit:

320 acres of land situated in Young County Texas, abstract No. 442, original grantee, T. E. & L. Co. Also 300 acres of land situated in Young County, Texas, T. E. & L. Co., original grantee, Abstract No. 962. Also lots Nos. 6 to 10 in block No. 13 in the town of Olney, Texas, as shown upon the plat or map of said town now of record in the Clerk's office of Young County, Texas, levied on as the property of R. E. Hill to satisfy judgment amounting to \$239.20 in favor of T. J. Routen, and costs of suit.

Given under my hand, this 30th day of March, 1915.
M. M. WALLACE, Sheriff.
By Sam Dowdle, Deputy.

TESTIMONY CONCLUDED
(Continued from Page 2.)

common for them to pass through there at 11 o'clock at night; I would sometimes talk to people going through there. Reynolds told me that there had been some talk that I had talked with Todd, but they did not say that I had talked with Todd and that was the reason they were putting on another guard.

The night watchman would come over every night and chat with us a while, he was over there the night of the killing about 2 o'clock. I did not hear Cherrymores talking over the phone that night with the night watchman, but he did talk with Ed Johnson, and I think I heard him say Big Boy is all right; I had not seen Ed Johnson for a week, and there had not been any report out that my health was not good. After the conversation between Cherrymores and Johnson I asked Cherrymores what he said and he said I told him you were all right—I did not hear Tom say in that conversation over the phone that "I am not afraid of anything." He talked over the phone in the sheriff's office. I don't know who the night operator at the telephone office is.

On re-direct examination Mr. Dollins testified as follows: I heard that Todd had been up to see Ol Brown to get him to come down and see Cherrymores and me. I won't be positive but I think Judge Stinson told me. I never at any time had any arrangement with anybody to let Fry see those papers.

Young County Sheriff on Stand.

M. M. Wallace, sheriff of Young county, witness for the state testified as follows upon direct examination: I am acquainted with Judge Fry, Pete Fry, R. M. Todd, J. B. Lischke, Tom Cherrymores, Riley Dollins, Pat Carlton and Doc Carlton. I deputized Tom Cherrymores. I was present at the time he was placed on guard. I was at home on the night of the killing, I think I went home about 11 o'clock that night. I did not hear the shots and don't know who notified me of the killing. As soon as I heard of it I went to the court house. I heard an automobile going down the street west; it stopped at the Independent phone office and I went over there and found Dr. Griffin there. No one told me who the auto belonged to. Before I left the court house I went to the clerk's office then went to the county judge's office I did not see anybody but I heard a whistle.

When I went to the telephone office I saw Cherrymores, Dr. Griffin, Dollins and the night watchman. I had a conversation with Cherrymores; I asked him who shot him; he said Pat Carlton and Rufe Todd. I only stayed there some five minutes. I wasn't there when he was moved to the sanitarium. When I left the

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phone office Dollins and the night watchman went with me; we went to the court house and then to Tidwell's we went to the Presbyterian church also and found blood stains on the steps of the church. We trailed two marks where something had been dragged from north of the court house near the coal bin in the direction towards the Presbyterian church. The drag went out and crossed over the fence near the wagon gate. There were also some tracks from where they crossed the fence going in the direction of the Belmont Hotel; It was the tracks of two men; they went across a vacant lot and we only tracked them about half way across the lot. I arrested Rufe Todd that morning about 4:30 in the office of the Belmont Hotel, also arrested Lischke; he was in the south room of the Belmont Hotel, Dock Carlton was in bed with Lischke. I arrested Judge Fry and Pete Fry somewhere around 8 o'clock; I arrested them at Judge Fry's home; Pete was wounded. I also found Pat Carlton there at Judge Fry's home but I did not arrest him.

Cross examination.

I appointed Riley Dollins as deputy when he was put on guard at the court house. Jim Reynolds came down from Newcastle the time Cherrymores was put on guard; he said he thought it was necessary to put on another man; Judge Stinson swore him in. I thought that Dollins and Fry were friends.

I think in that conversation Reynolds said that Ol Brown had told him that Todd had been to see him and said that he was perfectly agreeable with Riley Dollins to let Fry see those records, and that he wanted him (Brown) to go down and see that safe. Dollins was not present and did not hear this conversation; I think Judge Stinson told him. We were in the county judge's office when we had this conversation with Reynolds. I don't remember if Reynolds called Dollins and had a talk with him. I understood that Todd said that Dollins was willing to let Judge Fry in to see those records and to get Ol Brown to go down and see that safe. Why didn't you turn Dollins off? I didn't hire him, the commissioners' court hired him I suppose; the commissioners' court also hired Cherrymores I suppose. Dollins was present when they put Cherrymores on. I didn't tell Cherrymores about this conversation of Brown and Todd; I never talked to him about it; I understood that the county attorney told him the night he was appointed. I heard about Pete Fry going to Newcastle in his car to see Brown; Brown told me I think, I may have heard it from the commissioners first; I believe it was after the killing at the court house in Graham when Brown told me; I don't think he told me before the killing. Reynolds did not report it to me myself; I don't know whether I heard him tell it to anyone or not; I don't think I heard the conversation on Monday night before the killing, I heard of it on Sunday night before the killing; I think I got it from the county attorney, I am not certain. I did not tell the guards about it. I understood that Ol Brown was to see Cherrymores and let them get to those records. I did not tell the guards about it; Pat Marshall said he informed Cherrymores about it; it was before the killing. I told the deputy sheriff about it. I did not see them that night. I believe I was at Olney; I saw them Tuesday night but I don't tell them about this conversation.

Witness excused.

Sam Dowdle, witness for the State, testified on direct examination as follows: On the night the shooting occurred I was at home; I did not hear the shooting; Mrs. Wallace called me over the phone and told me I went over there and she told me that Mr. Wallace had gone on to town and I went to the court house; I didn't see anybody there and I went on out and went west from the court house and got on the sidewalk somewhere about the middle of the block. I saw someone at the door of Mr. Todd's place of business and I thought they were locking or unlocking the door but I could not tell what he was doing; I was about 150 feet from him; he just stood there and I went on; I was already past him; I went over to the phone office; I don't remember who all was in there; I remember Mr. Wallace, Matthews Will Mayes, Tom Cherrymores, Mr. Gatin and Riley Dollins; I never noticed, that was all I remember of seeing; I noticed a car in front of the phone office. I don't know that I heard Tom Cherrymores make any statement as to how he came to be

hurt, any more than I heard him call two names; I heard him call Pat Carlton and Rufe Todd's name; I went back to the court house at once; I believe I went from the court house to Mr. Tidwell's; I stayed there till Mr. Wallace went across the street and back; we went to the church; there was some blood on the steps also on the concrete floor of the entrance; it was still dark at that time and we saw by matches. As soon as it got light enough we made investigation and at the southeast corner of the court house near the coal bin saw where it looked like something had been dragged, the drag indicated two marks and foot prints on each side of the marks; we followed them to the fence just below the wagon gate and just before we got to the fence I saw blood on the ground also on the post oak leaves; they went over the fence just below the wagon gate; then I followed some tracks which went directly east across the street towards the Belmont Hotel; I took this to be tracks of two men, we tracked them as far as we could see the tracks in the sand; when we struck a hard place in the road we could track them no further; as far as we could track them they went in the direction of the Belmont Hotel. The tracks that seemed to be dragging something went in the direction of the Presbyterian church.

Cross examination.

I think Mr. Wallace told me something regarding what Ol Brown had said; he said that Mr. Reynolds had told him something about it. I don't know just when it was told me, whether it was before or after the killing. I did not tell the guards anything about this matter regarding Brown. I never noticed how dark it was that night; never noticed how far you could tell a man from a cow. I could not say how many there was at the court house at sun up, there were several. There were six shotgun shells on the ground, I don't know who picked them up; Mr. Gatin picked one of them up and I think Ab Billingsley picked one up; I didn't see any hat or pistols on the ground around there. I do not know what the size of the tracks were that were found and traced any more than they looked like a man's track; the tracks I traced from the fence went in the direction of the Belmont Hotel but I don't know where they went to. There was a street light just across the street about thirty feet south from where I saw these tracks. I helped to search Mr. Todd's rooms; we did not find anything.

Witness excused.

J. L. Flint, Jr., witness for the State testified on direct examination, as follows: I have known Pete Fry for several years; five or six days before the killing of Cherrymores he borrowed an old style H. & R. .38 pistol from me; he has never returned it to me; I have never seen it since. This pistol would shoot a Smith & Wesson cartridge. Before Judge Fry came back from Austin Pete and I had been talking about a trade; Pete was going to trade me a shotgun for my pistol, but we did not trade, he borrowed it from me.

State Rests.

Fred Arnold, witness for the defense, on direct examination testified as follows: I remember the occasion of Judge Fry being sued for \$25,000.00 about the 1st of February and being arrested in Austin and brought back to Graham; he was at Austin in the legislature. I was retained as counsel for Judge Fry. I made an effort as his attorney to get to see that report of the auditor and the checks and warrants on which he had been charged with forgery, but I was refused to see them; after I had been refused seeing this report I reported to Judge Fry that they had refused to let me see the papers. I reported this fact to Judge Fry before the guards were put on at the court house. We wanted to see these papers for the purpose of preparing the defense in the suit for Judge Fry. I represented Judge Fry in a case filed in the justice court and was allowed to see the papers in that case, but I was not allowed to see the checks and warrants with which he was charged with forgery were returned. These papers, and I have never been able to see those warrants and checks I wanted them to prepare the defense in Judge Fry's case.

Cross examination.

After I was refused to see those papers I did not advise Judge Fry and Pat Fry and Lischke and Todd to go to the court house with arms and get them by force. I asked Mr. Marshall if we would be allowed to look at those papers and he said he would see Judge Stinson; after seeing Judge Stinson he told me that they had them for safe keeping until after the grand jury met. I did not ask for a copy of the papers; I asked Mr. Marshall and Judge Stinson twice to see the papers. On his way back from Austin Judge Fry called me from Ft. Worth and told me to look after this matter for him and I told him I would and that I would have the bond ready. We agreed to make bond for all the six cases in one bond, they placed the bond at \$15,000.00 and I kicked at it a little but did not want the Judge to go to jail and we made the bond for that amount. I looked at the complaints which contained a copy of the checks alleged to be forged. The first time I asked to see the papers was the next day after Judge Fry arrived from Austin; the second time I asked them to let me see the papers was about a week later; it was about four or five days before the killing. I did not apply to Marshall again; I understood that Judge Stinson was the custodian of the papers. I knew Judge Miller was in Graham before the killing; he said he had been refused to see the papers; I did not know that he had permission and got to see the papers until after the killing. I knew that Judge Fry could have demanded an examining trial; I did not know that the court would produce the papers if he had an examining trial. He did not have an examining trial. I suppose a lawyer could demand of any county officer any filed document in his office. I did not demand a certified copy.

Re-direct examination.

I waived the examining trial before Judge Fry arrived in Graham. My purpose in making the bond and having it ready when Judge Fry got there was to keep him from having to lay in jail that night; the train comes into Graham about 9 o'clock. I did not think that we would be deprived of seeing those papers when I waived the examining trial.

Witness excused.

W. O. Clark, witness for the defendants, on direct examination, testified as follows: I know Judge Stinson; I was in Graham and had a conversation with him on Friday or Saturday, and in the conversation he told me that the trouble was to come off Sunday night and that he (Stinson) knew the reason it didn't, but he didn't tell me the reason and I didn't ask him.

Cross examination.

I asked him if he knew anything new; he says that I am on the inside; it was to have come off Sunday night and I know the reason that it didn't come off I was in Ft. Worth on Friday before the killing; I left Ft. Worth on the 5 o'clock train for Graham. Mr. Todd was on the train that night and there was a man with him. "Was it this man right here?" (Lischke) was pointed out to witness "That looks like the man." "I would not swear that is the man." Todd and the man were in close conversation with each other.

Witness excused.

Charlie Johnson, witness for defendants, testified on direct examination as follows: My wife is operator at the Southwestern Telephone office, we sleep in the telephone office; my wife is night operator. I help my wife after 8:30. I know Ed Johnson; he has a Southwestern phone at his house and it was there in February of this year. I know Ed Johnson's voice over the phone. I knew Tom Cherrymores about twenty years, and I knew his voice over the phone. I remember the night the killing occurred. On Monday preceding the killing after 8:30 o'clock I was at the phone office. On Monday night I heard a conversation over the phone between Tom Cherrymores and Ed Johnson. I remember that Cherrymores called for Ed Johnson several times that night before he got him, one time he called for the light plant. Cherrymores did get in connection with Johnson over the phone; I heard part of their conversation; did not hear the first part—I heard Johnson ask Cherrymores if he was afraid; Johnson told him to be careful and don't run out at the door or fall out at the window; this is all and as near as I remember the part of the conversation that I heard between them at that time. My wife was on long distance and we talked about that conversation. My recollection is this conversation was somewhere between 10 and 12 o'clock. I didn't hear all of their conversation; they were talking about two or three minutes.

Cross examination.

I knew that Johnson and Cherrymores had been deputy sheriffs under O. H. Brown. I thought them to be good friends—I never heard them talking after Cherrymores went on guard; Cherrymores didn't have a Southwestern phone in his house; there are two phone systems there, Cherrymores stayed in the sheriff's office while on guard; he talked over that phone quite a little; he called up several people at different times. I do not know that he used the phone a good deal while on guard to pass off the time with his friends or not.

Witness excused.

Mrs. Charlie Johnson, witness for defendants, on direct examination, testified as follows: I am night operator at the Southwestern telephone office in Graham, Texas; I was working there in February of this year. I went on duty at 7 o'clock at night and went off duty at 7 o'clock in the morning; my husband comes on about 8:30. I remember the trouble at the court house on the 24th of February; I was on duty that night. I had retired and about 11 o'clock I got up to answer a call, it was between 10 and 11 o'clock; I connected the phone at the court house with Ed Johnson's residence. Cherrymores called Mr. Johnson; I heard part of the conversation between them; I heard Mr. Johnson ask Mr. Cherrymores "Are you boys scared?" Mr. Cherrymores says "No we are not scared but I think it is all a batch of foolishness to guard the court house." Mr. Johnson says "I don't but it is a good thing for you as you are getting \$50.00 per month." and Mr. Cherrymores says "We are getting \$60.00" says "we boys are not scared because we keep old 'Betsy' close to us." That is about all of the conversation that I remember of hearing.

Witness excused.

Frank M. Burkett, witness for the defense, on direct examination, testified as follows: I remember the occasion of the county suing Judge Fry; I remember that Judge Fry was arrested and brought back from Austin. After Judge Fry returned from Austin I had a conversation with him before the killing; I think we had a conversation in Dr. Terrell's office. In that conversation Judge Fry asked me if I knew the combination on the safe in the sheriff's office and I told him I did not, but that the combination had been written on the wall in the sheriff's office close to the safe and it had been knocked off by the plaster falling off.

Cross examination.

I don't know whether a guard had been placed at the court house to guard those papers at that time or not.

Witness excused.

Continuation of Todd's testimony: Judge Fry never did say anything to me about paying any money to anybody, and I never mentioned anything about money to Ol Brown; there was no money mentioned at all. I told Judge Fry that I thought he was

innocent and I was willing to help him any way I could. In that conversation with Brown he said that if we needed him to send after him. Jim Reynolds drove up in an automobile while I was talking with Ol Brown and Ol says there is going to be some suspicion that we are talking about this matter and I have got to make some kind of excuse why I was talking with you; I told him that I would go and talk to Reynolds and let him think I was there on other business. I think Judge Fry said that and I had talked with Reynolds and made everything all right. This is all the conversation I remember of having with Ol Brown. Pete and I went back home; I judge it was about 5 o'clock. I told Judge Fry that Ol Brown didn't know the combination on the vault, also he said that if Frank Burkett didn't know it he didn't know of a man in the county that did. 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Three months..... 35

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No copy for advertisements or reports of Clubs or other news items will be accepted later than 12 o'clock on Wednesday before publication day

While we were in Wichita Falls hard at work getting news for our many readers, one of the office force here who claims to be the "devil" (and he looks the part, too) took occasion to call us names and make faces at us, but since our return we have cast him into his natural place of abode and once more everything is serene.

MING BEND

Sorry to say Mrs. Ida Sims, Hugh Ribble and Clifford Tanner have the mumps.

Mrs. P. A. Newby returned home Thursday, after staying several days nursing Mrs. Gant. Walter Tanner took dinner with his brother, R. E. Sims, Saturday.

W. B. Gibbs and family visited at the Newby home Saturday and Sunday.

R. A. Kutch and wife, Mrs. Mattie Dalton and two children visited at the home of Emmitt Askew Sunday.

Bro. Pursley filled his regular appointment here Sunday.

S. L. Ribble, W. R. Gibbs and their families took dinner at Mr. Newby's Sunday.

W. A. Pickard and family and Frank Stringer and family took dinner at A. P. Owen's Sunday.

O. D. Lisle and family went to town today (Sunday) to meet his daughter from Olney.

W. A. Pickard and family, Everett Newby and sister, Miss Reuby, attended the school picnic at Fox Hollow Thursday.

Several from this vicinity went to second Monday.

Mrs. J. J. Jones spent a few days with her daughter, Mrs. Askew, the past week.

Bill Sims, Roy Ribble, Everett Newby and Misses Reuby Newby and Ella Pickard visited at the home of R. E. Sims Sunday.

Mrs. Mattie Dalton spent Thursday with Mrs. Smith.

Miss Ella Pickard, Will Askew, Bill Sims and Roy Ribble called at the Newby home a while Sunday night.

As news is scarce and time precious will hand some of you good writers my pencil.

Rainy Day.

CENTER RIDGE

We had a fine rain Sunday and Sunday night.

Grass and weeds will grow to perfection now. Hoes will be seen in the fields before long.

Bob, Prentis, Lester, and Correne Corley, Brit Mayes and Charley Meeks were visitors at Mr. and Mrs. Vester Chambers' Sunday.

The party at Bro. Roark's was well attended last Friday and all had a pleasant time.

Some of the farmers have got up a good stand of corn while others have not.

Maize and kafir corn are not up to a very good stand yet. Farmers say they are afraid they will have to plant over.

Some of the farmers planted cotton last week.

Will Walker is no better at this writing.

Mr. Whately and family attended Sunday school at Flat Rock Sunday.

Mrs. John Martin is still improving at this writing.

Frelon Walker and John Singleton go to Flat Rock quite often. They say there are some good looking girls over there.

Oats are looking fine in this community since the rain and warm weather has appeared.

Bro. Roark went to Belknap Saturday returning Sunday.

Oscar Fain and family visited Mr. and Mrs. G. O. Hazelton Sunday eve. Rambling Rose.

PICKWICK

On last Sunday, April 11th, a crowd of young folks went to the McAdam peak and after that they went on down to Geo. Weldon's and took dinner. They enjoyed the outing very much. Miss Carrie Weldon spent one night last week with Miss Myrtle Whatley.

A good many of our people attended the funeral of Mr. Litt Cunningham, Jr. of Palo Pinto last Friday.

Alton Whatley spent Thursday night with the Weldon boys.

Robert Weldon and Luther Davis and sister, Miss Lottie, took Sunday dinner with their cousin, Miss Carrie Weldon.

Mr. and Mrs. J. C. and Mrs. F. T. Weldon visited at the Doan ranch today (Sunday).

Several of the young folks enjoyed a nice birthday dinner at the home of Mr. and Mrs. W. L. Costello on Saturday, April 17th. It was Mr. Charley McMillan's birthday but was given in honor of Mr. Porter of Mineral Wells and Mr. Matt McMillan and Mrs. Costello. Among the crowd were Dr. and Mrs. Tate, Misses Mary Caudill, Stella Lyster, Connie Costello, Lena Clay, Grace Wester and Carrie Weldon; Messrs. Charley and Matt McMillan, Mike Costello, Alton Whatley, Robert Weldon, Billie Clay and Jorter of Mineral Wells. I think that was all; if I have left anyone's name out it was not intentional.

Miss Hassie Clay has been real sick but am glad to report her better.

Mr. Carter of Jermyan has been down at the Doan Ranch this week buying cattle.

The dance at L. Z. Weldon's was enjoyed by all present.

Several of the Pickwick folks went to Lucille Sunday afternoon to church and all had a nice time.

J. C. Whatley took Sunday dinner with Chester Weldon.

Miss Eula Norton spent Saturday night and Sunday with Misses Clay.

Miss Carrie Weldon spent several days with Mrs. Jennie Weldon the first of the week.

John Doan went to Mineral Wells today (Sunday).

Miss Stella Lyster spent last Thursday night with the family of Will Costello.

Mr. and Mrs. Louis Brenner of Mineral Wells are visiting Mr. and Mrs. Spark Wester at present.

Messrs. Ben and Grant Weldon, J. C. Whatley, Charley and Jack McMillan attended the dance at Mrs. Barron's Friday night at Cedar Creek.

Beauty.

MURRAY

We are having some nice April showers.

Children's Day was observed at the Methodist church Sunday. A large crowd was present. A program was rendered in the forenoon by the children, after which dinner was spread and everyone especially enjoyed that feature of the day. At 2:30 Bro. Chunn preached a very interesting sermon and received one member into the church. We would also mention the interesting talks made by the superintendents of the other Sunday schools.

J. L. Wootton has returned from Goree and was accompanied home by his granddaughter, Miss Eula B. Thornton.

Dr. Griffin and wife and Joe Wootton and wife of Graham attended services here Sunday.

John Harty of Oklahoma was shaking hands with friends here Sunday.

Will McGlamery of Eliasville came up with Bro. Chunn Sunday.

Wess Shannon of Graham passed through here Sunday en route to Woodson.

August Robinson of Woodson visited home folks Saturday and Sunday.

Mesdames Simpson and Hubbard, who have been visiting Mrs. Megginson, returned to their homes at Newcastle Friday.

J. W. Robinson will leave in a few days for the west.

Bluebell.

MYERS BRANCH

"Anarchy, or the rule of one's self is the logical outcome of that form of political theory, which for the last half century or more, has been known under the name of individualism."—Thos. Huxley. One of the good writers, Tulip we believe, has made the statement that Jesus Christ was a "profound individualist." If we know the meaning of the word, "it is one who believes that the interests of society are best promoted by each one being strictly for himself." This being true why did Christ command some to sell their possessions and give the proceeds to the poor. "Give to every man that asketh of thee: and of him that taketh away the goods ask him not again." Does that sound like individualism? If Christ was an individualist his apostles so far forgot his teachings as to hold everything in common—to establish a form of communism. If they did this they were apostates and should not be accorded our reverence and respect. What leads you, Tulip, to believe that Christ did not wage war on the "system?" We hear John the Baptist saying: The axe is laid at the root of the trees, every tree therefore which bringeth not forth good fruit is hewn down and cast in the fire. And then the people asked him what they must do and he said: "He that hath two coats let him impart to him that hath none, and he that hath meat let him do likewise." Tulip what was the cause of some people having two coats, others none, some having meat and others none? The system?—It was evident that this system (tree) could not bear good fruit and was to be hewn down and burned, in a literal sense, destroyed. He told the publicans to "exact no more than is appointed you." It seems from the above that the collectors of taxes revenue and tribute had been getting more than the law allowed and that the hotel keepers were charging exorbitant rates. If he puts even these four things back to normal conditions it would be some change in the "system" and he didn't ask them if they had experienced any change of heart either. Christ also purged the temple at Jerusalem of the money changers and overthrew the dove dealers, which was quite a change in the system wasn't it? We concede that the Roman system was vile, but we can't believe it the "vilest the world has ever known." Our present day civilization can give the Roman or any other system cards and spades and beat it a mile.

We are having plenty of rain. Corn is up to a stand. Grain looks good; cotton planting is in full blast and everything looks so fine that we have almost become an optimist.

Quite a crowd from here spent several days last week fishing on the Clear Fork. They report lots of fish caught and cooked.

Owing to the rains we have not learned much news. In fact, we don't think there is anything new in this part of the world.

Gringo.

SPRING CREEK

Several of the young people got caught in the rain coming home Sunday afternoon.

Mose Whittaker and family visited at W. E. Whittaker's Sunday afternoon.

Quite a crowd of the young people called at Miss Elizabeth Whittaker's Sunday afternoon.

Messrs. Joe Miller and John Wise were the guests of Mr. Brumley Sunday morning.

Misses Carrie Vines and Lizzie Whittaker were pleasant visitors at Miss Lillian McNutt's Sunday morning.

Come on Plow Boy, I certainly enjoy reading your letters. I also enjoy Silver Bell's letters. Bashful Ben, when will the singing convention begin at South Bend?

The box supper at Spring Creek Friday night was well attended.

Bill Whittaker of Seymour visited his parents here Sunday.

Hollyhock.

DEVIL BEND

Oh! such awful weather. It has been raining here ever since Saturday, off and on, but I always like to see it rain.

The Reporter was just fine. I am always so proud to get The Reporter.

Mrs. Smith and Misses Mattie and Hattie Upham spent Monday eve with Mrs. Alice Lisle.

Mrs. Harriet Owen and daughter, Ida, spent Tuesday afternoon with Mrs. Alice Lisle.

Miss Lena Owen spent Tuesday with Miss Lou Driver.

Mrs. Bud Owen spent Friday with her daughter, Mrs. Gertie Sharp.

Bird Stringer and wife are visiting home folks this week at Fox Hollow.

Buren Lisle and Bird Stringer and wife went to a dance at Mrs. Barron's.

Mrs. Alice Lisle spent Sunday with Mrs. Tom Beach.

Tom Lisle and daughter took dinner with Sam Kelley Sunday.

Bud Owen and family took dinner with Ira Grantham Sunday.

Mr. and Mrs. Dick Whittenberg spent Sunday with home folks at Gooseneck.

Silver Bell, you sure do have a time with your bell.

Say, Busy Bee, I have just lately learned who you are. I wouldn't have ever thought it was you.

As I am in a hurry to get my letter off I will lend my pencil to Homeite. Buster Blue.

CRAIG POINT

Mr. and Mrs. Martin Jones returned Sunday night from a business trip to Brown county.

Mr. John Selvidge and Jim Vann spent Monday night at Mr. Baugh's. They were on their way home in Hunt county.

Misses Dora and Willie Wade spent Sunday with Gladys and Hazel Green.

Mr. Frank Gallaher left last Sunday for Newcastle.

Mr. and Mrs. Nat Price and children were visitors at Sunday school. Come again, we are always glad to have you.

Mrs. Ben Ragland and little son called at Mr. Cornelius' on Friday afternoon.

Mr. O. C. Brummel called at Mr. Lindly's Sunday.

Mrs. S. D. Baugh and daughter, Miss Viva, spent Wednesday with Mrs. Horace Busch.

Mrs. Omer Beckham of Graham visited Saturday and Sunday at Mr. Cornelius'.

Miss Pearl Gallaher and Mr. Henry Blackwood called in the city Sunday afternoon.

Mr. Brog Carlton filled his regular appointment in this vicinity Sunday.

Little Robert Lanier spent Saturday night and Sunday with his grand parents, Mr. and Mrs. Lindley.

Mr. Joe Timmons of Mount Pleasant visited Mr. Denver Kilion Tuesday afternoon.

Mrs. Etta Wade made a business trip to town Thursday.

Blue Bird.

GOOSENECK

Oh! yes, we all went to town Monday and had a big time.

Well you all know what a beautiful day Monday was. I saw Rainy Day and had a pleasant chat with her.

Mrs. Ollie Lasater and children spent Sunday night and Monday with Mrs. McLaren.

G. W. Rose and two daughters went to town Monday.

Mrs. Mack Rose is sick with the mumps.

Mrs. Eva Mullenax and children visited with Mrs. Reed last Thursday.

Several of the boys of this part of the bend went to Fox Hollow Friday and enjoyed a ball game, also a good dinner.

Jim Reed and wife visited relatives at Cedar Creek several days this week.

Mrs. Newby of Ming Bend took dinner with the Parsons family Saturday.

Dr. Logan was called to see Cordie Rose Friday. She was seriously sick but glad to say she is some better today (Monday).

Revs. Hall and Cantwell spent several days of this week with J. L. Rhodes and family. They conducted a Christian meeting from Thursday night until Sunday night.

G. F. and T. A. Parsons and Dr. Bright of Megargel were here this week. They moved their cattle to Megargel where there is no anthrax.

Mesdames McLaren and Johnson visited Mrs. Odel Johnson Sunday.

John Clark and family went to Tonk Valley Sunday.

A fine rain fell here Sunday night.

Mrs. Dalrymple is still improving.

Bashful Ben, you and Silver Bell will get up a case if you keep on. Still you two can't agree on school teaching.

Gander.

DUFF PRAIRIE

Well, another warm week has passed. We still hope it will continue warm.

Everything sure is growing.

Mrs. Mark Crabtree and Mrs. Lillie Adams went to the Bend Monday.

Mrs. Beulah Burgess spent the day Wednesday with Mrs. John Groene.

Mesdames Burgess, Groene and Adams called on Mrs. Jim Stone Wednesday afternoon.

Ol Burgess and Smith Gann went to the cedar brakes Wednesday.

Mrs. Henry and little children spent the day Friday with Mrs. Crabtree.

Mrs. Floyd Burgess spent the day Friday with Mrs. John Groene.

W. P. Martin and wife took their son to the doctor last Monday. His hearing had almost left him. Glad he is getting better and was able to go to school Tuesday.

Floyd Burgess and family went to town Saturday. Mrs. Burgess is having some dental work done.

Jess Ingram, with Mr. and Mrs. Louis Wilkerson, went to Jacksboro Saturday.

Bob Carroll and family, with Miss Cecil Haliburton, went Saturday to visit Miss Haliburton's people, on Bee Branch.

Lucian Adams went to Caddo Tuesday to meet his father. The elder Mr. Adams had been gone a month.

John Groene and Mr. Adams called at Walter Corbett's this (Sunday) afternoon.

Will not take up any more space this time. Sorrell Top.

Buy Golden Sun Coffee from R. L. Reed & Co.

Big Shipment of New Hats

Just Received

Our stock of Hats and Millinery goods is the largest and best in Young County. The Season's newest and best styles are shown here and they will surely please you.

If you have not purchased your Spring Hat we want you to call at once, examine our stock, get our low prices, and place order.

We also show a complete stock of Misses' and Children's Hats.



Ladies' Coat Suits, Dresses, Skirts and Waists.

We have the largest stock of these goods ever shown in Graham. They are the very newest styles, made of the best Spring fabrics, and are marked at the lowest possible prices.

We also show a complete stock of Kimonas, Middies, Petticoats, House Dresses, Misses Dresses and Children's Dresses.

You are cordially invited to visit our New Millinery and Ready to Wear Department and see the many new goods shown.



S. B. Street & Company

SALEM

Where is Plow Boy, Buster and Gringo? Are they too busy this fine weather to be with us?

Corn is up to a fairly good stand, only a few had to plant the second time, among them J. H. Carter planted a part of his over and John Kisinger planted all of his the second time.

Wheat on sandy land is not very good but on all black or heavy land it is in fine condition.

The work of the heel fly has been mild this spring compared with other years, grass good and stock of all kinds healthy and in fine condition.

J. A. McLaren vaccinated his stock Monday.

Some are planting cotton this week but the main part of the crop will be planted later on.

Geo. Martin and family of Palo Pinto county are spending the week with relatives here.

The Misses Bessie and Resie Hinson and Sarah Hatfield spent Sunday with Mrs. Sallie Criswell.

Mrs. Mollie Gilmore was shopping in the city Saturday.

Mrs. Fannie Hinson, after a week's visit here with relatives, returned to her home in Graham last Friday.

Mr. and Mrs. T. K. Criswell spent Sunday with J. H. Carter and family.

R. L. Askew has been spending a week or so at Mountain Home.

Tulip you are right when you say "it is the man and not the system our socialist friends should change" for there are men who don't even pay a poll tax and at the same time the state puts up from \$7.00 to \$35 for the education of their children, and then he won't even let them go to school to get the benefit of it. Now this looks to me like a hard problem for Roseite to solve in his work of evening up society. But Roseite is going to do it all without any change of habit in the individual. It must be a kind of a "Million Dollar Mystery" and we wait for the solution. Oh yes, when the democrats appropriate seventy per cent of our platform then we will get results, if there is anything in their platform that the democrats want to appropriate it is not in sight. "Isn't private ownership the cause of seven grocery stores in one town?" If you count all the share holders in them then it is a collective ownership, after all and it is the best and only kind of collective ownership we can have unless we adopt the life and habits of the American Indian; they held land and about everything else in common. Now about your \$500.00 bank account; of course we can check out only what we put in. Roseite asserts or intimates that because of the laws of heredity certain men can live for ages like lords and never produce anything. Now perhaps you are young, industrious and an intelligent manager and of course you love your children as well as you do your own life, and as you go along in life by honest toil you accumulate quite a fortune, would it be a pleasant thought to you while working for the fortune to know that at your death the public would be allowed to enter the bank and check out every dollar of it? Your socialist dope here does away with all our inheritance laws, and other parts of it does away with other laws, and if we should follow such teaching we would have no government at all. What incentive would there be for one to try to get along in the world if he knew he could leave no will or have no voice in the disposition of his property after death? Men with wealth are a benefit to a country. You man say we preach no such doctrine, but according to your logic the government itself should own and manage all our utilities. Then will you please mention any product either raw or manufactured that is not a utility and that all are not dependent upon? Roseite appears to be as much afraid of profits as a young mule is of a motorcycle. What is profit? Is it anything more than the wages received for producing, handling

or transporting a product? All this work is necessary before it reaches the consumer, it makes no difference who is doing the work, and it is up to Roseite to show that the government can do this work at less cost than private competitive ownership can do it. Please bear in mind that government employees are well paid and that government jobs are eagerly sought after.

Roseite's reference to feudalism shows to what reaches socialists will go for "tangle-foot dope" to confuse the voter with. History says that feudalism was established in the tenth century on the ruins of the barbarian monarchy. Now we wouldn't say it so loud so Roseite could hear it, but we feel pretty sure that barbarism was pure and undefiled socialism and, if we are right in this then Roseite is engaged in an effort to resurrect a corpse that has been in its grave since the tenth century. We ask you to read the history of that period and be your own judge. Anyway feudalism lasted only about three centuries or until a little while after the close of the war of the Crusades, so he went a long ways for the assertion that "capitalism grew out of feudalism" and we ask him to prove the assertion, for the continent on which we live was not then discovered nor even dreamed of. Now for the benefit of those who may be interested in this we will review a few dates: 1492 new world discovered; 1620 first permanent colony established; 1776 war of Revolution; 1779 articles of Confederation ratified; 1789 new government under our present constitution went into operation. And for the benefit of the man who is not satisfied with our government April 23rd 1915, greatest and best government on earth, at peace with all the world, and able and ready to furnish all the food and clothing the other nations call for. And for charity's sake alone is keeping the people of one government from starvation. Owe no other nation one dollar even, all the debt she owes is to individuals and most of them her own citizens, so the entire obligation is collective ownership after all, for we, the people, own the whole shebang. And for the proof of its worth and power we mention China, the most ancient and populous empire on the globe, when recently looking around for a new form of government, patterned after and chose that of our own. Strange case? Yes, the oldest government on earth and yet only an infant as a republic. This is proof that there is none better, and our socialist brother will have to scratch his head several times before he can make it better, we mean the government, not his head. But perhaps Roseite will say the government is good enough. Then we ask, what is the socialist worrying about? And what do they want, and what changes would they make in order to get what they think they want? We wait with interest to hear Roseite's explanation of a final settlement of the land question, and will say we are in this work to learn what we can about the science of socialism, so come on, and then, later on, we will try to explain why the government can run the postal system without coming out in debt occasionally. Salemite.

FLAT ROCK

It surely hasn't forgotten how to rain here, for the heaviest rain we've had for some time fell Sunday afternoon, there was some hail which did great damage to the gardens and knocked off some fruit. We think if the hail doesn't ruin the fruit we will have enough to supply our needs this year.

My letter was late last week and was among the ones that landed in the waste basket.

Mrs. Susie Taylor received the news last week that her sister was very low at Mineral Wells. She left Friday for that place, but when she reached Graford she was informed that her sister was in the sanitarium and the doctor wouldn't let anyone see

her, so Mrs. Taylor returned home Saturday.

Miss Maggie Corley has gone to Jermyn where she will spend a month with Mrs. Will Loving.

Mrs. Burton and daughter called on Mrs. Parsons last Tuesday afternoon.

Rev. and Mrs. Roark gave an apron hemming in honor of Miss Maggie Corley last Friday night. There was also music and singing. It was real amusing to watch the boys as they worked so faithfully with needle and thread (very few used a thimble.)

Jesse Martin was awarded the prize, a box of candy, for doing the nicest work. The prize for the sorriest work was a cotton cake and Jim Corley was the lucky fellow who received that. He cut his cake and passed it around to the crowd and it created a lot of fun. Everyone present reported a most enjoyable time.

Mr. Harbert Parsons returned home last Tuesday from Monday where he has been with his brother the past few months.

Misses May Hunter and Eunice Craig called at Mr. Corley's and attended our Sunday school Sunday afternoon.

Oscar Fain and family called at Mr. Hazelton's Sunday.

Mrs. Veta Prideaux went to Mineral Wells Saturday and returned Sunday night.

Miss Jessie Alford spent Friday night with Miss Lona Corley.

Rev. Roark and family spent from Saturday until Sunday afternoon with relatives at Belknap.

Miss Maggie Taylor and Romie Martin were callers at Miss Georgia Burton's Sunday afternoon.

Robert Ash spent Sunday with the Corley boys.

Miss Lona Corley called on Mrs. Fain Tuesday morning.

Bro. Roark had an appointment to preach at Flat Rock Sunday night but on account of rain he failed to fill it.

Miss Maggie Corley spent Saturday night and Sunday with Miss Dora Smith in Graham.

Fred Ragland and Misses Kate Fields and Fannie Ragland attended the apron hemming Friday night.

Our school will close Thursday of this week.

Messrs. Tipton and Lucian Smith, Romie Martin and Dube Lamar attended the apron hemming.

Lucian Smith called at Mr. Burton's Friday.

Rev. S. D. Cook and wife visited their son, Charlie, and attended Sunday school here. Candy Kid.

WHITE ROSE

Mr. Elliott's baby has been real sick this week, but is better at this writing.

Warren Cook and Wiley Burch called on W. C. McCombs one night last week.

Mr. and Mrs. W. C. McCombs went to Graham Friday.

Miss Hattie Gachter spent one night last week with her sister, Mrs. Armstrong, in the Red Top community.

A crowd of young folks enjoyed a candy breaking at Tom Rutherford's Saturday night.

Roseite took in Big Monday at Graham and had a short but pleasant talk with Plow Boy.

David and Silas Wood were in Graham Saturday.

Ernest Babb of Graham spent Thursday night with Willie McCombs.

Well, Salemite, I see you are calling for more explaining about how we will stop unproductive labor under socialism. The only sure way of stopping an evil is by removing the cause. So now if we can find the cause of drummers, advertising, etc., and remove that we solve the problem. Now the cause of advertising; there is a reward for the advertiser; that is there is a profit somewhere. Now suppose you were to pick up some of the local papers and on the first page there would be a four-column ad "Get your Mail in Graham" or "Patronize Your Home Town by Buying Stamps in Graham" and the government paying for this ad. Wouldn't there be talk about the strange ad all over

the country? In fact, now is it necessary for the government to advertise the mails? Wouldn't you kick just a little if you had to pay taxes for that kind of advertising? Now in a pure democracy the people are the government and the government the people. If it isn't necessary for the government to advertise a commodity under capitalism, why would it be under socialism? You see then the cause of advertising, and this cause will be removed under socialism? Probably if James should have lived in our day he would have said, "The love of profit is the root of all evil."

Now, Salemite, there is one principle which I will state and I want you to accept or reject it. "Labor applied to natural resources creates all wealth." Is this a fact or not?

The fact is, Tulips, under capitalism three-fourths of our labor goes to other parties than the producers, so you see I have not got much money to do good with now. Our motto is, "To every man the full product of his toil." Our plan is laid down in the socialist platform. Did you ever read one? Now it is human to err, and we may be wrong, but don't think so.

You have some strange literature on dividing up. If you chance to have any on hand please leave me a copy somewhere in Graham, for out of all I have read I have never seen any that advocated dividing up.

Now, Tulips, I believe I could prove Christ a socialist as well as you can prove him an individualist, but we will let that go, for Christ never partook of politics. Can you prove Him a capitalist? Did He ever receive an income off his fellow man? Did He ever receive interest, rents, and profit in any shape or form? Tulips, under socialism you will be allowed all the profit you can make. No law will stop you. The point is this, "Why will I buy from you when I can get things without profit added from the government?" It appears that you are a little bit prejudiced as to the word "system." Now as the tongue is the only two-edged sword that grows sharper by constant use, prejudice is the dominant tool of ignorance and grows sharper by constant use. Now, if you are tired of the word "system" call it "Henry" and go on.

Christ's mission upon earth was not temporal but it was a spiritual one. He was preparing for you a home after death. Our mission is temporal. We want to make this earth a better place while living here. If your religion will let you vote a democratic ticket, surely it will let you vote a socialist ticket.

Thanks, Correspondent, I try to make all of my articles plain, and I learned a long time ago that abuse never won an argument. Yes, I think by the government running our industrial system we could save millions of dollars a year in useless advertising and in our mode of distributing a commodity. As to keeping the government in running order, from the origin of wealth we see the producers foot the bill under all systems, so a little saved help them that much. As to war, they will cease when the cause of war is no more, which is profit. Our great war that is raging now in Europe is strictly caused by commercialism. Each is fighting for territory and trade. As government originated from the family, wars are doing likewise. First we had family wars, clan wars, and state wars, and now we are into national warfare, so I predict this to be the last stage of warfare.

It will be impossible to have socialism in one country without all of the civilized countries being on the verge of socialism. The socialist party is well organized in all countries on earth. Coming as it is in this way we can truthfully state "The swords will be beat into plow shares, and the spears into pruning hooks, and the nations will not lift up sword against nation, neither shall they learn war any more." So stopping war alone will save the nations billions of dollars. Is not socialism worth striving for?

Bro. Wilson preached two fine sermons at White Rose Sunday. A nice crowd attended both services. The Kid, of Indian Mound, took in church at White Rose Sunday. We were glad to have you with us Kid, come back again and bring others with you. Maston Thomas and Buddie McCombs were playing society in White Rose Sunday. Guy Wignall and wife were in Graham Sunday and came by and took in church at White Rose in the afternoon. Mr. Elliott called on his brother, who lives at the Grimmitt place, Sunday. Mrs. Joe Woolfolk, who lives six miles west of Newcastle, called on Mrs. W. C. McCombs one day last week. Roseite.

SOUTH BEND

We are having more rain this week, which is appreciated.

Misses Annie Holcomb and Naomi Goode took Sunday dinner with Misses Harrell.

Leslie Scott and sisters, Bettie and Sadie, and Misses Neweta Flint, Corrine Stephens and Mary McBrayer of Graham visited in the Bend the latter part of last week.

Miss Belle Scott is visiting relatives in Graham. Miss Elsie Rubenkoenig visited home folks in Graham Saturday night and Sunday.

Mr. and Mrs. W. E. Harrell of Ming Bend visited in the Bend Saturday and Sunday.

Mr. and Mrs. Hub Rogers of Pleasant Hill visited in the Bend Sunday afternoon.

Messrs. Henry Steele and Bassett Wyatt of the Cedar Creek country were trading in the Bend Monday.

Leroy Britton visited in Graham Saturday and Sunday.

Mr. and Mrs. V. M. Hale and children visited H. M. Ford and family Sunday.

Mr. and Mrs. Lee Welch visited J. C. Herd and family Monday.

Here, Sorrell Top, is your pencil. Thanks for same. Bashful Ben.

Everything is very quiet in and around Bunker this week. Clyde Berry had a runaway last Friday afternoon and got

shook up some but not seriously hurt. Mr. Conder has completed his cellar. He has two windows in it, one in the north and one in the west, so that he can watch the clouds from two ways. Bro. Dickson filled his regular appointment here Saturday and Sunday. The Goose met a fox right in the middle of the big road and he didn't seem to notice her very much. Odel Johnson is a very good dentist here of late. I understand the Bunker boys are thinking of getting up a ball team here. The married men are going to play the single men of Gooseneck this coming Friday, the last day of school. The old-bucks will beat them of course. Mr. Kelley and family took Sunday dinner with Mr. and Mrs. Conder. R. L. and Mrs. McLaren were in Bunker Friday trading. We had a fine rain on Sunday night. Mr. Duckworth, of the Salem school teacher has the mumps, I understand. You old bachelors had better pull off a party or two while the school teacher is sick. Mr. Frank Vaden got up a party to make a rabbit drive Monday morning. Floyd Smith stayed over Sunday night with Lee McLaren. I have had such little time and there was so much of the court news last week that I did not get a chance to read very many of the good letters. Goose.

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COMFORT

\$3.50	<i>Queen Quality</i>	\$3.50
to		to
\$5.00		\$5.00

SHOES

Styles change rapidly but we keep a little ahead of all others. And we have never for one minute forgotten "Comfort."

We believe that comfort outlives style in nearly every woman's memory.

TESTIMONY CONCLUDED

(Continued from Page 3.)

self went. We went to Ol Brown's house and he wasn't at home, we then drove up town and east of town a little and stopped the car and sent Pete to see if he could find him; it was dark. After a little while Pete came back to the car with Brown. It was about 11 o'clock when Brown came out there; Pete Fry, Brown, Judge Fry and myself were the only ones present, and Judge Fry went over this matter with him. Judge told him practically the same thing I had told him, that they were treating him badly, and that they would not let him see those papers, and Brown seemed to sympathize with him, and said he would help him any way he could. Fry told him he wanted to see those checks and wanted a copy of the auditor's report, that he did not want to destroy the papers but just to get in the vault and get such copies as he would need, and Brown said it was perfectly all right and he would do anything he could to help him. I did not know that Brown had seen Reynolds. That was about all the conversation I heard, I went to sleep. I don't know what time it was when we left for Graham. We had some trouble with the car on the way back; it was raining some, I believe we had two or three punctures and the lights went out, and Pete Fry went up to Mr. Williamson's and got some matches; we had to have some matches to see how to fix the tire. I do not know what time it was when we got back to Graham but it must have been 3 or 4 o'clock. In the conversation going back I understood that Ol Brown was coming down the next day; he offered the same excuse he offered me, said he was special night watchman, but said he would come the next day; I think the Judge offered him a way to come but he said he would come with Mr. Bunker as he was going down the next day.

On Monday after we got back from Newcastle I think I had a conversation with Judge Fry and he said that he would see Cherrymones that night, and I did not see Cherrymones any more. On Tuesday Judge Fry told me that he had learned from Cherrymones that it was all right, provided we would come masked and pretend that it was a hold-up. He told me to go phone Lischke to come out on the 9 o'clock train. I called Lischke and told him I thought the picture show deal was all right, and he said he would come out that night. That morning when I was in Judge Fry's office Ed Johnson was there, and Miss Eula McCain was there also, Johnson and Fry and myself were going over this matter; I don't know whether Miss Eula heard the conversation or not, but she was in there. Johnson and Fry were discussing as to how they would arrange; Judge said that Cherrymones had said to him that he (Johnson) would be the best man he could get to assist in this friendly hold-up. I do not think there was any definite time set for Johnson to come to Fry's house that night, and Johnson was also to see Cherrymones before he came up there; that is about all I remember that was in that conversation. I told Judge Fry I had phoned for Lischke and he would be out that night. I think the first talk I had with Gatlin was about a week before the trouble at the court house. I told Gatlin that Judge Fry was in trouble and I did not believe he was guilty and told him why I thought so, and he said he did not believe he was guilty. I did not in that conversation or at any time say anything about any money. I did not say anything about some damn lawyers getting any money. I did not say that Fry was a blowed-up sucker, and I did not say that Fry was as guilty as hell, to him or anyone else, and I never said that Fry had done a little coarse work. I never said to anyone that Fry was a blowed-up sucker unless he could get those papers out of the way. I don't remember whether it was the first time I talked with Gatlin. I told him that Riley Dollins had agreed to let Fry see those papers or not, but I think it was. The first conversation I had with Gatlin was at night somewhere on the sidewalk. I don't remember just where. Gatlin asked me to let him know before we went to the court house to see those papers when it took place so he would have time to go to the phone office or the light plant so he could prove an alibi. He told me that two or three days before the killing. I think it was on Monday night that he came up to my house and we talked the thing over. I told him I thought we would arrange to see the papers the next night or some time soon and I agreed to let him know. I went to Judge Fry's house Tuesday night before the train came in, Pat Carlton went with me. Pat had been working for me but had been sick and came in to town Saturday night and stayed over Sunday; he was to go to Fort Worth Monday to have an operation but didn't feel like going. I told him about this matter on Tuesday night after supper, and that night when I got up and started to Judge Fry's house he said he believed he would go with me. I don't suppose that Judge Fry, Pete Fry or Lischke knew that Pat Carlton knew anything about this until that night; I never told them that I had told Pat anything about it. When we got there we just found the Judge and Pete there. Then I went to meet the train and did not quite get there before the train came in; I met Lischke about fifty yards from the depot and we went on up to Judge Fry's house; I made him acquainted with Judge Fry, he had not met him before that I know of, then went down and had a talk with Gatlin and was gone about an hour; I told Gatlin that all arrangements had been made and that it would be about 2 o'clock, and I made arrangements to meet him at Tidwell's corner about that time, he said he would meet me. He said he would go over to the court house; at that time there was a light in the county attorney's office. He said he would go over and keep the coast clear. I went back to Fry's house and when I got there I found Bob Black. It seems that Mr. Lischke wanted to see Mr. Vick's safe at the store, but I think Black said he did not have the key to the store; that was all I heard.

Ed Johnson was the next person I saw come there; he came about midnight; he had over his face a red bandana handkerchief and a dark cape around his shoulders, and a ladies' skirt that struck him about his shoe tops. He was there when I left Fry's house. I think he said he had seen Cherrymones and Dollins and everything was all right. Pete Fry, Judge Fry, Pat Carlton and myself were present when he made that statement. When I left there I left Pete Fry, Judge Fry, Pat Carlton, Ed Johnson and Lischke. I left there somewhere about 2 o'clock. I went to Tidwell's corner; I had an appointment to meet Gatlin there. Gatlin came, I don't know where he came from but he came from towards the Dollman House. I told Gatlin that everything was arranged and they were coming, he said he had just come from the court house and the boys seemed to be a little nervous; he said he did not know what the matter unless someone was in the sheriff's office. I told him I would go back then and see the boys and if they had not already left I would try to get them to call it off and he said he would go to the light plant. I told these parties when I left the house if I saw anything out of the way that I would come by the skating rink and tell them. I went by the skating rink but they were at the other end and I did not see them; I then went to Fry's house and Mrs. Fry said they had gone, said they had left about fifteen or twenty minutes ago. I went back but didn't strike them, and I heard the shooting; then I was about fifty yards south of the Belmont Hotel, I ran back to the Hotel and went in my room. I suppose it was about the middle of the shooting when I got into my room; I saw my wife and two little children when I got into my room; I don't know what I said, my wife was a little excited; I think she was awake when I went in; I got up and started to go and my little boy took my hand and said not to go, and my wife did not want me to go; I got up and went down to the door of the office of the hotel and then went back to my room; then I went back to Mr. Jones' bed room and asked them if they heard the shooting, as well as I remember I think Mrs. Jones spoke of a fire. I think she said "They cannot accuse any of us with it, you were on the porch while they were shooting." I phoned, but I did not want to phone because I thought somebody was hurt. I was there with Mr. and Mrs. Jones, before Mr. Jones and I went to the phone office. We were not gone but about ten minutes; when I got back to the hotel I saw Lischke; he knocked on the window and I got up and walked out there and Lischke says what in the world must I do and I says I am not able to advise you and he says I believe I will go to bed, and I will get you a bed, and we went up to Doe Carlton's room, and I told Doe that if anything was said the next morning that this man slept with him all night. I knew Mr. Jones would be suspicious about this man as he did not know this man was there. I then went back to the office; I think I stopped at my room to get my coat, and then I went back to the hotel office and in about fifteen minutes the deputy sheriff and the sheriff walked in and arrested me. I could not see where I was doing wrong in assisting Judge Fry in the way I did, according to the conversations I had with him. I thought Judge Fry had a right to see those papers from the information I had. Mr. Cusenbary told me those records had been taken from the clerk's office and placed them somewhere else when they had no right to be. I did not think it was wrong and told Judge Fry that if he only wanted to get those papers and not destroy them I did not think it was wrong, and if he was guilty the papers would not do him any good. If I had thought the guards would not have carried out their promise as they agreed to I would not have had anything to do with this matter. I would not have had anything to do with this matter if I had thought Judge Fry would have destroyed the papers, and I told him so. Judge Fry turned over the money to pay Lischke, but I never turned it over to Lischke; I turned it over to the Lawyers in this case.

Pete Fry, witness for the defense, testified on direct examination as follows: I was staying at Judge Fry's house when the trouble came up at the court house; I was there the night of the trouble. I ate supper there that night. I went down town to get a lunch. Judge Fry and his wife and myself ate supper there at his house that night. When I started to get the lunch Pat Carlton, Mr. Todd, myself, and Judge and Mrs. Fry were there. I think when I got back Lischke had come. I remember of a shot going off in the house that night while I was out; I did not hear the gun go off but I saw the hole in the house where it had gone off. My brother sent me after Mr. Black but he did not come the first time, but they sent me back after him again and he came. He stayed there probably twenty or thirty minutes. Ed Johnson also came there that night; when he came he had on a red bandana handkerchief and a cape and some thing that looked like a skirt; I don't know what time it was when he came but it was late. Mr. Todd was the first man to leave the house; myself, Pat Carlton and Ed Johnson were the next to leave the house; we went together, and we were disguised, all three of us; Judge Fry was also disguised, but Mr. Lischke was not disguised, and when Mr. Todd left that night he was not disguised either; I never saw Mr. Todd or Mr. Lischke either disguised at any time that night. I had a gun when I left, it was my brother's gun; I had bought a gun before that time. When we left we went by the Methodist church and from the church back behind the skating rink, myself, Pat Carlton and Ed Johnson got there first and Mr. Lischke and my brother next. I don't know whether Mr. Johnson had a six shooter or not. Myself, Pat Carlton and my brother went to the court house from the skating rink; Mr. Johnson stayed at the skating rink with Mr. Lischke. Mr. Todd did not go to the court house with us; only the three of us went, my brother, Pat Carlton and myself; Todd wasn't there; Lischke wasn't there nor Johnson wasn't there.

We walked up between the cistern and the sheriff's office and my brother made a noise of some kind on the cistern, and at this time we heard these two guards get up on their feet and walk out of the court house and walk north to that post oak tree, and then turn east, and as they turned east Pat and I told them to throw up your hands, and Tom made some reply; I don't know what he said and my brother stepped out and said "Boys, put up your hands, it is Fry" and at that time Cherrymones shot and I fell, I tried to get hold of my gun and get a shell into it; I remember my brother coming over to me; I don't remember seeing Pat fall, but as soon as I got a shell into my gun I commenced shooting; I was down on my elbow when I commenced shooting. I did not have any cartridge in my gun, my brother had told me to take it out of the gun before I left the house. I don't know how many times I shot. I am sure Cherrymones shot first; I am sure the first shot hit me. We were not expecting trouble when we went there. On the Sunday before when we went to Newcastle my brother told me that we were going up to see Ol Brown to come down so he could see those papers; he said he had seen Cherrymones and Dollins and that it was all right with them. When I went down there I was not expecting to be shot or I would not have gone. I did not think I was doing any crime by going down there in the way we went. I knew of the suit against my brother, and I knew he had been refused to see the papers; he told me so. My brother told me he was not going to destroy the papers; said he just wanted to get some duplicates. I did not draw my pistol until after I was shot; I thought I was in danger or I would not have shot; if the guards had carried out their agreement I would not have shot at all. Pat was on the ground when I finally got up, and I went to him and asked him if he was hurt; he said he was, he said he didn't know where he was shot. I was raising him up when my brother came, we put his arms around our shoulders and started to carry him off. I do not know how many shots were fired; there was one shot fired just as we were going over the fence; it seemed to come from where we had the trouble; Pat Carlton was with us at that time; part of the time he could walk and run a little, then we would pick him up and carry him; when we got to the church I kinder got sick and brother says let's put Pat on the steps until he could go home and get his shotgun, we went home and he got his shotgun and started back and his wife would not let him go; he told her he was going back to get Carlton and I think he got to the door when I saw Pat coming in.

In the cross examination, Pete Fry testified to about the same as in direct examination. Mrs. R. M. Todd, witness for the defense, testified to practically the same thing that Mr. Todd testified to as to the time he came to his room, and after he came to his room, and was not cross examined. Mrs. E. W. Fry, witness for the defense, testified; all of her testimony corroborating that of the other witnesses who were at the Fry residence the night of the killing, except that of Ed Johnson, whose testimony was in contradiction to that of all the other witnesses at the Fry residence the night of the killing. Mrs. Fry said after the shooting was over and Pete Fry and her husband, Judge Fry, and Pat Carlton had come back to the house, that Pete Fry and her husband had laid their pistols on a dresser and she had taken both the pistols in her charge and had taken them home with her when she went to her mother's, and that Pete and Judge Fry did not know of her doing this; as she had not told either of them about it. Mrs. Fry was not cross examined.

Defendants Rest.

W. P. Stinson, witness for the State, on direct examination testified as follows: No attorney representing himself to be Judge Fry's attorney ever requested to see those documents. Judge Miller applied to see the documents. I had a conversation over the phone with Judge P. A. Martin. After the conversation with P. A. Martin over the phone I told Judge Miller that he had my consent to see the papers and that he could see them the next day. No one was named in my presence between Judge Miller and I as to whether he was to make copies of these papers. Prior to the time Judge Miller came into my office and asked me to see those documents, Judge Miller had ever requested me to see those papers. It was about 3:30 o'clock in the afternoon the day before the killing that night when Judge Miller came to my office and asked to see these papers. Judge Miller was in Graham at that time; I don't know when he left Graham; I did not see him after that evening.

Cross examination. Judge Martin and Kay told me not to let anybody see those papers and I have never let anybody see them. Fred Arnold did not ask me to let him see those papers. Judge Miller did not get to see the papers. I never helped to make up any money to help prosecute these defendants. If Judge Miller saw the papers I did not know it. Judge Miller has never been back to Graham since. The county clerk got to see them; the grand jury did not indict him. Witness excused.

Riley Dollins, witness for the State, testified on direct examination as follows: The night of the trouble I did not throw up my hands. I did not know anybody was coming to the court house that night to make an attack on Cherrymones and me. Before Cherrymones and I got up to go out of the court house that night I did not hear any signal I never made any arrangements at any time with Todd whereby I was to make a friendly surrender. Cherrymones never did talk to me about having made any arrangements of any kind for a friendly hold-up. I did not hear Fry say "Hold up your hands boys, this is Fry." Nobody ever made any arrangements of any kind with me to let Fry come down there and go into the vault and see those papers. The first

time I heard anything about this being a friendly hold-up I believe was since I came up here.

Cross examination. I know I did not run. I do not know whether I hit anybody or not with my shotgun. If I had gone into that kind of an agreement I would own up to it. Witness excused.

B. A. Gatlin, witness for the State, on direct examination testified as follows: I never had any conversation with Todd in which he told me they were going to the court house and have a friendly hold-up to see those papers; and I never told him to let me know when it would come off so I could go somewhere so that I could prove an alibi. I did not know that anybody was going to make an attack of any kind at the court house on the night the trouble occurred. Todd did not see me on the street that night and tell me they were going to pull the thing off that night. I did not tell Todd that I would go over to the court house and see if everything was all right and come back and let him know. I never met Todd near Tidwell's corner that night and told him that I had been over to the court house and that the guards seemed a little nervous; I do not remember of having any conversation with him that night whatever.

Cross examined. I did go to the court house that night about 2 o'clock, but I did not say I thought the boys were nervous; I thought they were normal. Nobody hired me to guard the electric light plant. It was not a part of my duty to go over there just before the shooting. I didn't try to get down there and try to catch these people after the shooting. After I got to the guards I knew they had been shooting at them and one of them was shot; I did not try to catch the parties. Witness excused.

Ed Johnson, witness for the State, testified on direct examination as follows: I remember the occasion of Judge Fry being arrested in Austin and being brought back to Graham. I loaned him a pistol after he came back; it was a Colt's automatic. He did not tell me what he wanted with it. It must have been a week after the guard had been put on before I knew anything about the court house being guarded; Dollins and Cherrymones were the guards I have a Southwestern Telephone in my house. After the guards were put on I had a conversation over the phone with Cherrymones. I had a conversation with him on the night of the killing; it was about 11 o'clock when I got through talking with him. I talked to him quite a little bit, it was just a friendly conversation. In that conversation I says, "What's old Big Boy doing?" (meaning Riley Dollins) and he says "He is reading a novel." I asked Tom if he was sleepy. He says "No, I sleep in the day time." and I said something about, well they will make you jump out of the window and he laughed, and that is about all that was said; there was nothing said about anybody coming to the court house and hold up the guards in a friendly way. I think I saw Judge Fry in his office before the killing; I went to his office looking for Chas. Gay; I had heard he was in Judge Fry's office, but I did not find him there. I do not remember who all was there; I think Dr. Terrell and Mr. Eddleman were there. There was no conversation between Judge Fry and myself there with reference to disguising ourselves and going to the court house for a friendly hold-up. I was at home on the night of the killing; I think I went home that evening perhaps an hour before sundown. I have a daughter in my house who has a little baby; my wife is dead; this daughter that was in my house with me at that time is in Illinois now; she lives in Illinois; she has been back there about two or three weeks. I did not leave my house that night at any time. I did not put on a cape and a woman's skirt that night and go up to Judge Fry's house that night. I did not go from Judge Fry's house that night down to the Opera House with Pete Fry and Pat Carlton and wait there for Judge Fry and Mr. Lischke; I do not know Mr. Lischke. I have not been arrested and charged with complicity in this matter. I never made any arrangements at any time with any of these defendants to go with them and help them in having a friendly hold-up at the court house. I have no recollection of ever having talked with any of them with reference to Judge Fry's trouble.

Cross examination. I don't think I was ever arrested for bootlegging; I think I have been arrested twice. I think I was in jail once twenty days. I was convicted one time. I was tried once for murder here. I was charged and indicted with complicity in the murder of the Marlow mob in Young county, but not convicted. It is not a fact that I turned State's evidence in that case; they dismissed the case. I cannot say that I saw Fry Marshall or the sheriff or the county judge on Tuesday before the killing. I was in Judge Fry's abstract office on the day before the killing or the day before; I may have talked a little with Judge Fry, but I was looking for Chas. Gay but he was not there; somebody had told me that Mr. Gay was up there. I think there are several offices on the floor where Judge Fry's office is. Judge Fry occupied two offices at that time. I was in the front room; I think I sat down in the front room; I did not talk with anybody; I did not talk with Judge Fry; I was in there only a few minutes. I think the young lady that works in the office was in the back room; I did not go in the back room; I don't know who was in there. I did not see Rufe Todd in there. Miss Eula McCain was in there. I do not know whether she was manager of Judge Fry's abstract business at that time or not, I don't know anything about that. I had been up there before to make collections for Morrison & Company. I saw Mr. Gatlin clean up the county judge's office and probably other offices while I was deputy, at the time Judge Fry was deputy, (Concluded on Page 7.)

Let Us Make it For You to Your Individual Measurement

You will find it more satisfying in STYLE, MATERIAL and FIT than any suit you have ever had made. We are sure of this.

We have now on display the new line for SPRING and SUMMER from

S. H. Churchill & Co. CHICAGO

Containing 300 of the choicest selections of fabrics, and styles of the very latest.

Let us show you how much quality in clothes service we can offer to you at reasonable prices. Your clothes money will be well invested when dealing with a house that has a reputation such as S. H. Churchill & Co. It will pay you to call and look over their beautiful assortment for this Spring.

We know that you will be satisfied. You will be under no obligation to buy.

The Graham Tailor Shop FRED STEWART, Proprietor



A New Model Ford

We have one of the new 1916 model Fords on display at the Garage. This new Ford is a beauty, is equipped with electric headlights, and has a new torpedo body and oval fenders. You'll like this new car; let us give you a demonstration.

The City Garage

J. E. WORKMAN, Proprietor

St. Louis Restaurant

OPEN DAY AND NIGHT

Fresh Fish and Oysters. Spring Chicken a Specialty. Short orders promptly filled.

West Side of Square

BABB & BABB, Proprietors.

BEAUTIFY YOUR HOME

Set a pace for your neighbors by having your home painted, and thus improve the tone of your whole neighborhood.

When you have it done be sure that you get paint that is durable and economical as well as beautiful. The kind that will give you absolute satisfaction is

Sherwin-Williams Paint

No matter what you want to paint or varnish, there is a Sherwin-Williams product for the purpose, which will prove the best you can use. We carry all colors.

Complete Line Paint Brushes, Oil and Turpentine

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TESTIMONY CONCLUDED

(Continued from Page 6.)

ty judge I found out about a week before the trouble at the court house that Cherryhomes and Dollins had been put on guard at the court house. I did not have any conversation over the phone on Monday night with Tom Cherryhomes. I did not go to Judge Fry's house that night after I had the conversation with Cherryhomes over the phone. "If you had done it you would not admit it would you Ed?" "I guess I would, if I had been with the other bunch I guess I would have stayed with them." I was before the grand jury, but I never made any statement in writing I do not think. I denied before the grand jury of knowing anything about it. I never told anybody that I ever knew anything about this matter. I would be willing to die like Cherryhomes if I ever had any conversation with him in regard to this matter. I asked him over the phone on Tuesday night if Big Boy was all right; he might have said to me Big Boy is all right. I had not heard that Riley had been sick, I think I said "How's old Big Boy?" He might have said, "We are not afraid but we are keeping old Betsy by our side." We talked quite a little bit. I never had but one conversation with Cherryhomes, and that was that night. Witness excused.

Judge Nicholson's Charge to the Jury.

After reading the usual provisions of the law with reference to the different degrees of murder and the penalties therein provided, Judge Nicholson charged the jury as follows, regarding the points at issue in this particular case:

"You are instructed that on the 24th day of February, A. D. 1915, the county judge of Young county, Texas, to-wit: W. J. Stinson was the legal custodian of the auditor's report and the checks and warrants accompanying same.

"You are further instructed, that if the defendants, E. W. Fry, Pete Fry, R. M. Todd, J. B. Lischke and Pat Carlton, deceased, entered into an agreement with each other to go to the county court house at Graham, in Young county, Texas, in the night time, and then and there forcibly or otherwise, open the vault in the county judge's office in said court house, and then and there abstract and take from said vault certain county records of Young county, Texas, for the purpose of altering or destroying the same without the consent of the lawful custodian of such records, then you are instructed that such agreement on the part of said defendants would be a conspiracy to commit a felony, to-wit: Burglary in the night time, and if all of said defendants did go to said court house in order to carry out said conspiracy, and if all of said defendants were present and each of them knew of the unlawful intent of the other, and if in the execution or in the attempt at the execution of such offense, one of said defendants shot and thereby killed G. T. Cherryhomes, then you are instructed that all of said defendants so present and acting together, would be guilty of murder; and if either of said defendants, though not actually present, was keeping watch so as to prevent the interruption of those actually engaged in the commission or in the attempt at the commission of said offense, or to render further assistance in the commission of the offense, then he would be guilty of murder.

"You are further instructed as part of the law in this case that if the defendants, E. W. Fry, Pete Fry, R. M. Todd and J. B. Lischke, and Pat Carlton, deceased, entered into an agreement with each other, or with any other person or persons, to go into the county court house of Young county, Texas, in the night time, and in disguise, or for some of them to go in disguise, and if the purpose of said agreement and understanding was to forcibly or otherwise open the vault in the county judge's office in said court house in order that E. W. Fry might go into said vault, without the consent of W. P. Stinson, the county judge, and to take into his corporal possession any papers or documents therein contained, either for the purpose of removing, destroying or copying the same, then, such an agreement or understanding among them would be unlawful; and if in pursuance of such an agreement or understanding, the said defendants or any of them did so arm themselves and did so disguise themselves and did go to said court house for said purpose, and if, in the consummation of such purpose of the attempted consummation of such purpose, E. W. Fry, Pete Fry, and Pat Carlton went to said court house armed with pistols and in disguise and made an assault upon G. T. Cherryhomes and Riley Dollins with such weapons, then the said Cherryhomes and Dollins had the right to repel such assault by shooting them or either of them, and if the defendants or either of them under such circumstances, then shot and killed the said G. T. Cherryhomes, then each of the defendants actually engaged in such conflict would be guilty of murder. And if any of said defendants were not actually present at the time of the killing, but were keeping watch so as to prevent the interruption of those actually engaged in such undertaking or to do any other act in the furtherance of such design, then such other parties so keeping watch and not actually present would also be guilty of murder.

"The use of any dangerous weapon or semblance thereof, in an angry and threatening manner, with intent to alarm another, and under circumstances calculated to affect that object, is an assault, and if, from the evidence before you, the jurors are led to believe that the deceased, G. T. Cherryhomes and Riley Dollins, were assaulted by the defendants or either of them or by Pat Carlton, deceased, and that such assaulting party or parties were in disguise, and that they or either of them made use of pistols in an angry or threatening manner, with intent to alarm the said Cherryhomes and Dollins, and under circumstances reasonably calculated to affect that object, then the said Cherryhomes and Dollins had the right to shoot said party or

parties so assaulting them, and the fact that they or either of them fired the first shot, would not be any defense for the killing of G. T. Cherryhomes.

"Now bearing in mind the foregoing instructions if you find and believe from the evidence in this case, beyond a reasonable doubt, that the defendants, E. W. Fry, Pete Fry, R. M. Todd and J. B. Lischke were all present and acting together, or if either of said defendants, though not actually present, was keeping watch so as to prevent the interruption of those actually engaged in the commission of the offense, or to render further assistance in the commission of the offense and that they, E. W. Fry, Pete Fry, R. M. Todd and J. B. Lischke and Pat Carlton, deceased, or either of them, in Young county, Texas, on or about the 24th day of February, A. D. 1915 with malice aforethought, with a gun, the same being a deadly weapon or instrument well calculated and likely to produce death by the manner in which it was used, with a sedate and deliberate mind and formed design to kill, did unlawfully shoot and thereby kill G. T. Cherryhomes, then you will find the defendants and each of them guilty of murder, and assess the punishment of each of them at death or by confinement in the penitentiary for life; or for any term of years not less than five years, or, if you find and believe from the evidence beyond a reasonable doubt that the defendants, E. W. Fry, Pete Fry, R. M. Todd and J. B. Lischke entered into an agreement with each other and with Pat Carlton, or with any other person or persons, to go to the county court house of Young county, Texas, in the night time and in disguise, or for some of them to go in disguise, and if the purpose of said agreement and understanding was to forcibly or otherwise open the vault in the county judge's office in said court house in order that E. W. Fry might go into said vault without the consent of W. P. Stinson, county judge, and take into his corporal possession any documents and papers therein contained, either for the purpose of removing, altering, destroying or copying the same, and if you further find that in pursuance of such agreement or understanding, if any, the said defendants, or any of them, did so arm themselves and did so disguise themselves and did go to said court house for such purpose, and if you further find that in the consummation or in the attempted consummation of such purpose, if any, E. W. Fry, Pete Fry and Pat Carlton went to said court house armed with pistols and in disguise and made an assault upon G. T. Cherryhomes and Riley Dollins with such weapons, and if you further find that said defendants engaged in a conflict with said Cherryhomes in which they or any one of them shot and killed the said Cherryhomes, then you will find each of the defendants actually engaged in such conflict, guilty of murder and assess the penalty as above stated; and if you find from the evidence beyond a reasonable doubt that R. M. Todd and J. B. Lischke were at the time of such killing, keeping watch so as to prevent the interruption of those actually engaged in such undertaking, or to do any other act in furtherance of the design of the defendants, if any, then you will find each of them also guilty of murder and assess their punishment as above directed.

"You are further instructed that unless you find and believe from the evidence that the defendant, J. B. Lischke was present at the time of the shooting of G. T. Cherryhomes, or was keeping watch so as to prevent the interruption of those actually engaged in the commission of said offense, or believe that he was keeping watch or was doing something in furtherance of the common design (if any) of said defendants, then you will find the defendant J. B. Lischke not guilty and so say by your verdict.

"You are further instructed that unless you find and believe from the evidence that the defendant R. M. Todd was present at the time of the shooting of G. T. Cherryhomes, or unless you find and believe that he was keeping watch so as to prevent the interruption of those actually engaged in the commission of said offense, and was doing something in furtherance of the common design (if any) of said defendants, then you will find the defendant R. M. Todd not guilty and so say by your verdict.

Concluding the judge called attention to the fact that the jury must consider only evidence submitted and must not arrive at the verdict as the result of lot, accident or mistake

HAWKINS CHAPEL

-Elzie Tedrow and wife were the guests of Mr. and Mrs. Robert Miller Sunday.

Odus Stratton's sister, Mrs. Kinerman, and children of Jermy visited the former the first of the past week. Miss Eula Stratton came over Thursday and she was accompanied home by Mrs. Kinerman and children that evening.

C. S. Newman and wife visited relatives at Graham and Indian Mound from Friday until Sunday afternoon.

Jesse Oatman went in the neighborhood of Olney Thursday to meet his wife and children, who had been visiting Mrs. Oatman's parents, Mr. and Mrs. Tedrow. Mrs. Tedrow came back with Mrs. Oatman and children to where the latter was met by her husband.

There have been some fine rains here from Saturday until Monday. The vegetation is looking well. Most everyone is thinking of planting cotton soon.

There are some fruit trees which were not in bloom when

we had the last hard, cold spell, so we are hoping to have some fruit this year.

We have heard quite a good deal of talk about planting watermelon patches lately.

Mrs. H. H. Stephens and daughter, Mildred, of Indian Mound were the guests of her parents, Mr. and Mrs. C. F. Newman, last Tuesday night. They were accompanied home by Miss Ruby Newman.

Bro. McCord of Loving filled the pulpit at the Baptist church last Thursday night. He preached a real good sermon, using as a text Gen. 3:24, "A flaming sword which turned every way, to keep the way of the tree of life." He spoke very plainly about what the "flaming sword" is and how it would help us to come in touch with the "tree of life."

Messrs. Jesse and Jim Oatman with their families and A. E. Oatman took Sunday dinner with Mr. and Mrs. C. F. Newman.

Bro. Hamerson, the pastor of the Baptist church, will preach at the Baptist church next Sunday, the fourth Sunday.

The protracted meeting will begin at the Baptist church on Friday night before the third Sunday in July.

Some of the young people attended the box supper at Markley Saturday night.

The Sunday school was in session at 10:45 a. m. Sunday. It met late on account of the rainy weather.

Robert Miller went to Loving Wednesday afternoon.

Bro. McCord was the guest of Jim Oatman and family Thursday night. Violet.

Send us that \$1.00 NOW.

MIDWAY

We had another good rain last night.

Glancus Cox returned Saturday afternoon from Vineyard where he had been spending a few days for his health.

Mr. and Mrs. H. W. Drum and children went to church at Loving Sunday.

Mrs. Bavousette and daughter, Edith, came in one day last week. They have been gone for quite a while.

We had several visitors at our singing Sunday afternoon.

Earl Hazzard returned home this morning.

Lewis Drum, Earl Hazzard and Willie Drum took dinner with Clarence Daily Sunday.

Miss Hettie Drum spent the day with Mrs. Lee Drum one day last week.

The croquet club met at Mrs. Hiram Drum's last Wednesday and had lots of croquet and a big time.

Miss Hettie Drum, Mr. and Mrs. E. A. Cox, the little Strickland girls and Miss Nannie Adams took dinner with Mrs. Jno. Cox Sunday.

Health in this community is very good at this writing.

Apple Blossom.

BRYSON

We certainly have been having lots of rain. Had a hail and a downpour Sunday afternoon and another big rain Monday afternoon. I don't believe the rain is over with yet.

The little infant son of Mr. and Mrs. George Patterson died the 14th at 9:30 p. m. His little life was short having lived only about six weeks. The remains were laid to rest in the Cottonwood Cemetery Thursday at 11:30 a. m.

Aunt Mary Moore has been on the sick list but is improving at this writing.

Bashful Ben, those questions you answered last week for Silver Bell were answered correctly I think. In regard to the school teacher, I don't think those "little darlings" should have the habit of running home from school and telling their parents everything that happens in their school room that day, for the child will get a little out of sorts with the teacher and run and tell their parents things that never happened and then the parents will help the child out, and the first thing the child has quit school and such as this will hurt the school teacher, the school, the child and the parents.

Grandma Gaskin, who makes her home with her son, Harry, near Long Hollow, has taken a trip to Louisiana, returning last Monday. She reported an enjoyable trip.

The Bryson High (free) school was out Tuesday. All met at the school house Tuesday morning and enjoyed the morning as they saw fit. The term of school was one of the best that has ever been taught. The students seemed to learn better than they ever did before. All the students and the teachers departed from the building at noon wishing everybody a long and prosperous life. The students thanked the teachers for their kindness and help shown them during the term. All regretted to see the school close. Although there will be another month of subscription school there will not be so many pupils and teachers as there was during free school. The class play by the 10th grade will be given the night of the

28th; the exhibition the night of the 29th and the commencement exercises will be the night of the 30th of this month.

Mumps is all the go now. Quite a number have them.

Prof. A. L. Maddux visited his mother, Mrs. W. A. Jones, of Bridgeport Saturday and Sunday.

Several from here attended the picnic at Finis Saturday. All reported a fine time.

Prof. A. L. Maddux is going to have a lemonade party at his home Tuesday night.

Thanks, Homeite, for your pencil. I will hand it back right quick and not use it all this time as I am in a hurry. Trixie.

Weather for April.

1st to 4th, pleasant; 5th to 9th, cloudy, thunder showers; 10th to 14th, cool, cold wave; 15th to 18th, warm and pleasant; 19th to 23rd, warm, with rain; 24th to 27th, cool and pleasant; 28th to 30th, hot, sultry, thunder storms.

HAIL, FIRE & TORNADOES

are all very destructive. "Hurry up" and insure your property with Young County Abstract and Title Co. Office over Graham National Bank.



Great Sale of Pure Aluminum Cooking Utensils

Every Piece Guaranteed for Twenty Years.

This is the largest and most complete stock of Genuine Aluminum Ware ever shown in Graham. You should not miss the opportunity of supplying your kitchen with this beautiful and durable ware.

In Our Furniture Department

We guarantee to save you money on anything you may need in this line, such as

IRON BEDS

CHIFFOROBES

DAVENPORTS

CHINA CLOSETS

KITCHEN CABINETS

DRESSERS

DINING TABLES

ART SQUARES

LINOLEUMS

OIL COOK STOVES

Just in—A very elaborate line of Wall Paper and Decorations.

- Pure Aluminum Pie Pans at 20c
- Aluminum Biscuit and Doughnut Cutter at 15c
- Pudding Pans at 50c, 60c, and 75c
- Stewer without lid, 2 quarts, at 75c
- Stewer without lid, 3 quarts, at \$1.00
- Stewer with lid, 2 quarts, at 1.00
- Stewer with lid, 4 quarts, at 1.50
- Berlin Kettle with lid, 3 quarts, at 1.50
- Aluminum Skillets at 1.50
- Double Boiler, large size, at 1.50
- Aluminum Percolator, 4 cup, at 1.50
- Aluminum Percolator, 6 cup, at 2.00
- Preserving Kettles, 2 gallon, at 2.00
- Teakettle with double boiler, at 3.50
- Pure Aluminum Dippers at 35c

Also many other useful Aluminum utensils.

The John E. Morrison Company
Graham, Texas



Local and Personal Mention

Runaway June tonight.
New Electric Theatre, the home of good movies.

Rev. Gaines B. Hall will preach at Eliasville Sunday.

Every night a feature at the New Electric.

Mesdames D. F. Ford and Roy Wheat of Loving were in the city shopping Tuesday.

Buy your groceries this month from R. L. Reed & Co.

Mrs. Gaines B. Hall is visiting at Eliasville this week.

Don't fail to see the special attractions at New Electric Theatre Saturday.

Eyes tested and glasses fitted. H. M. Smith with J. T. Vaughan & Company.

N. B. Blevins of Loving was here on business Saturday.

For breakfast try a box of Swift's Premium sliced bacon at R. L. Reed & Co.

T. K. Criswell of Salem was a business visitor in the city Saturday.

Eyes tested and glasses fitted. H. M. Smith with J. T. Vaughan & Company.

The Priscilla Club will meet next week with Mrs. John Dowdle.

Eyes tested and glasses fitted. H. M. Smith with J. T. Vaughan & Company.

Bob Corley of Tonk Valley was a Graham visitor Monday.

Eyes tested and glasses fitted. H. M. Smith with J. T. Vaughan & Company.

George Mahaney of Gooseneck was in the city on business Monday.

We are still selling the Ford cars. New cars always in stock. Graham Auto Supply Co.

McCall Patterns are Best. And easiest to use. We have all styles and all sizes. S. B. Street & Co.

Log Cabin Maple Syrup, guaranteed pure—try it with early breakfast cakes. R. L. Reed & Co.

We sell a large bottle of Library Paste, with brush for 5 cents. Graham Printing Co.

Mrs. C. M. Rickman returned Wednesday night from a visit of several days to her daughter, Miss Ada, who is attending T. W. C. at Ft. Worth.

McCall Patterns. We carry all sizes and all styles of these patterns. S. B. Street & Co.

If you want the vacuum cleaner just phone No. 77 Ind. or 85 S. W. 50c for half a day, \$1.00 for all day.

Mr. F. V. Tucker and Miss Grace Bishop of South Bend were married Tuesday at noon in the county clerk's office, Rev. J. E. Evans, pastor of the Christian church officiating.

The Graham High School Band will give a concert Friday evening from 6:30 to 7:30 on the Court House lawn. Come and hear the school boys play, encourage them all you can.

REMNANTS. We have put out on our bargain counters a lot of remnants of dress goods and staple cotton goods at about half price. S. B. Street & Co.

Terrible Cyclones and Tornadoes
Might come soon, the season is here. Insure your property with Young County Abstract and Title Co.

The High School Orchestra re-organized last week with nine members and hope to keep up their practice through the summer. Join this orchestra and get the practice.

95c 95c 95c 95c. See the big bargains in Misses and Children's 'Pumps and Oxfords' we have on sale at 95c. S. B. Street & Co.

NOTICE.
All members of Hound Men's Associations in adjoining counties are invited to meet with us Monday, May 10, 1915, at Graham, Texas. Wolf, Fox & Hound Men's Assn. J. B. Foster, Pres.

Fire Alarm Notice.
When person turns fire alarm in by breaking fire boxes, immediately phone central exact place of fire. In case of fire on Sunday turn alarm in by phone as the light plant which furnishes current for alarm system does not run on Sunday. G. Q. STREET, Chief.

Baptist Missionary Society.
The Ladies' Missionary Society of the Baptist church met with Mrs. Edgar McLendon last Thursday with thirteen members present.

The Society was opened by singing "We'll Work till Jesus Comes." The 41st chapter of Isaiah was read, after which Mrs. Farmer led an interesting missionary lesson on Japan.

Mrs. McLendon and Mrs. Miller gave some interesting information as to the religion, education and work of the Japanese. The meeting was closed by singing "Jesus Paid it All." Next keyword "fear." Reporter.

W. C. Bell returned Friday night from Houston where he had been to attend the Lumber Men's Convention.

Miss Bettie Gibbs of Proffitt was in the city this week visiting her brother, J. R. Gibbs.

Emmett Stewart, son of Mr. and Mrs. W. A. Stewart, suffered a fracture of the left arm just above the wrist, while playing at the school house Tuesday. He is improving rapidly and it is thought that in a short time the break will be entirely healed.

W. A. Thompson is making some needed improvements on his house in east Graham occupied by W. H. Mayes. This is an excellent time of the year to brighten up, and it is hoped that others will get the "bug."

Mrs. Ellen Riggs Dies.
Mrs. Ellen Riggs, mother of District Clerk Willie Riggs, passed away at her home in West Graham Saturday. Mrs. Riggs at the time of her death was far along in years, and had spent a useful, noble life. She moved here with her son last year from Eliasville, and in March of this year suffered a stroke of paralysis from which she remained unconscious most of the time until death relieved her suffering.

The remains were laid to rest in Oak Grove cemetery Sunday. The Reporter joins Mr. Riggs' many friends in extending sympathy to all the bereaved relatives.

J. H. Cochran has been seriously ill for several days as a result of a spider bite. The poison has permeated his whole system, and all of his body is swollen as though he had been bitten by a rattlesnake.

Mrs. B. F. Self left Wednesday morning for Fort Worth to be with her father, Mr. Bell, who is reported as not expected to live.

P. C. Walker of White Rose, former Graham citizen, but now a tiller of the soil, was among the Graham visitors Saturday.

INDIAN MOUND

Mrs. G. W. McComas and son, John, went to Newcastle Thursday. Mrs. McComas went to spend a few days with her daughter, Mrs. Rhea Cox, who is on the sick list.

Dee James went with W. W. Hoggard to Newcastle Friday after a grain binder.

W. W. Williamson was hauling cotton to Newcastle Wednesday and Thursday.

D. W. Beard went to Newcastle Thursday.

B. W. Drum and Austin Bird went to Newcastle Friday.

G. W. McComas went to Newcastle Friday.

W. W. Williamson and D. W. Beard went to Graham Friday.

Will Hoggard and wife visited Dee James and family Friday night.

E. G. Williamson returned Wednesday evening from Wichita Falls where he had been attending court.

Sunday school was well attended Sunday, forty-nine being present. After Sunday school was over Uncle George Slaughter made us a very interesting Sunday school talk.

Carl Newman, wife and sister, Miss Ruby, from Hawkins Chapel came down Saturday to visit their brother-in-law, H. H. Stephens, and family, till Sunday evening. They attended Sunday school while here.

R. G. Taylor and boys thought Sunday afternoon that they needed a little exercise so they

walked across the pasture to White Rose to preaching. Before the preacher began his sermon a cloud rose in the southwest and they did not want to come back through the rain so they pulled out for home, arriving about five minutes before the rain.

Some time ago there was a time set for the graveyard working here but it was rained out. Last week it was decided to work it Saturday. This was decided on too late for last week's paper. They were gathering and some work had been done when they were rained out again.

P. G. Cunningham from Newcastle was here Saturday.

Henry Ledbetter, wife and daughter, Mrs. Sarah Coley, and Miss Larimore from beyond Newcastle were here Saturday at the graveyard working and took dinner with E. G. Williamson and family.

Zearl Williamson was on the sick list part of last week.

We had some nice showers Saturday afternoon and night, also Sunday afternoon. Several autos from Graham were enjoying our muddy roads Sunday afternoon.

F. E. Borchardt's children have the chicken pox.

Billy Williamson was hauling wheat to Graham Friday and Saturday.

Sorrell Top, I am glad you corrected your mistake. I almost studied my head off wondering when I romped on Dago, but I understand now.

There is some talk of having Children's Day here some time in the near future. We believe this to be a step in the right direction.

F. E. Borchardt was helping W. W. Hoggard work on a binder Monday.

Will Hoggard called at Dee James' Monday afternoon.

Uncle Geo. Slaughter and wife visited Lamar Smith and Mr. and Mrs. Ira Huckaby Saturday and Sunday.

John McComas went to Newcastle Saturday after his mother. They returned Sunday.

Messrs. Herring and Davenport with their families, from Ingleside visited Austin Bird and family Friday and Saturday. We learn that they went to Graham Saturday in Mr. Herring's new car.

Health of our community is very good at present.

Lloyd Bennett from Bryson is visiting his uncle, J. S. Frazier, and family here.

Mrs. R. G. Taylor visited Mrs. W. W. Williamson Sunday afternoon while the children visited at D. W. Beard's.

W. W. Williamson and wife, D. W. Beard and R. G. Taylor went to Graham Tuesday.

children took dinner with W. E. Moore Sunday.

Zack Gray, Ernest Beckham, Charlie Reedy, James and Sylvester Gowens and Lee Moore all took dinner with Murry Moore Sunday.

Mr. and Mrs. Lee Jones, Mr. and Mrs. Sam Jones visited at W. E. Moore's Sunday afternoon.

Mr. and Mrs. John Timmons of Mt. Pleasant visited Mrs. A. A. Timmons and A. H. Jones Sunday and Monday.

Mr. and Mrs. John George visited Grandma George today (Monday).

Mr. and Mrs. J. R. McClannahan and family, Mr. and Mrs. Bill McClannahan called at J. T. Rogers' today. X. Y. Z.

LONE OAK

A. J. Lowe is able to be up and about but he has not entirely recovered from his recent illness.

Jim Farr McBride is still improving at present, but he is unable to be about.

There was singing at the Bryant home Sunday night. All present report a pleasant time.

Tom Lemons of Jermyn and Miss Bessie Petty of Red Top were married in this community last Sunday afternoon. Rev. R. E. Boyle officiated. These young people have many friends here who wish them many years of wedded bliss.

Mrs. W. C. Harris returned Monday afternoon from Hillsboro, where she has been the guest of her son and family for the past three weeks.

Mesdames Dickerson and McKinney of Loving were the guests of Mrs. C. C. McBride last Monday afternoon.

Mrs. Bolden and children of Megargel are visiting the Harris family in this community.

Mr. and Mrs. J. W. Pratt visited in the Farmer vicinity Sunday.

Messrs. Joe Dossett and Dave Watson were business visitors to Loving Monday.

Mesdames Fannie and Irene Rutherford, May Pratt and Stubblefield were visitors at C. C. McBride's Friday afternoon.

Claude Terrell was in this community Sunday and Monday.

Albert McBee and family went to Red Top Sunday. While there Mrs. McBee became seriously ill and was unable to return home. We sincerely hope she may soon recover.

J. D. McBride and wife of Archer county spent from Saturday until Tuesday with relatives here.

Some of the young people got rained on a little bit while on their way home from the singing Sunday night. I don't doubt it much for there was a very good shower fell about 10 o'clock.

Mack Hale and John Franks visited Frank Lee Sunday.

Mesdames Bolden and Harris called on Mrs. C. C. McBride Sunday afternoon.

The school here is progressing nicely.

Everything is looking fine since the rain which fell Saturday and Sunday night.

The farmers are about up with their work at present. Some few have commenced planting cotton. The corn and grain looks very nice though the grain is rather small for this time of year.

C. C. McBride, Rev. R. E. Boyle and Clint Kirkland were business visitors to Graham on Saturday.

Blackburn Petty and Dick Hoover of Red Top were in this community Monday afternoon.

Well, I'll quit and hand my pencil to Buster. I don't think he'll use it though as he said the other day he was just too busy to write. Here's hoping he will take time anyway. Brunette.

Spring House Cleaning
Phone is to bring you our Electric Vacuum Cleaner. \$1.00 per day, 75c for half day.

GRAHAM ELECTRIC CO.

ELIASVILLE

After a long winter spring has at last arrived, and this is a beautiful world once more.

We've been having wet and muddy weather, and it is still cloudy this (Wednesday) morning.

Most everyone has been fishing, but there is a muddy rise on the river now.

Mr. and Mrs. T. A. Johnson left this morning for their home in Spur, Texas, after a two weeks' visit with relatives near Eliasville.

Wheat is looking nice again, after being beat up pretty badly by the hail, a few days since.

Wid. Akers and brother, Herschel, of Komo went to Newcastle today.

Roy Hill is improving, after a severe illness.

Miss Eunice Johnson was in Eliasville Monday.

Henry Wells of Spur has returned home. He came down after a bunch of horses he had in this community.

Bill McGlamery went fishing Tuesday afternoon. Hope he had good luck.

A crowd went fishing on Fish Creek Tuesday night and caught two little fish. Pretty good.

Bro. John Newsome filled his regular appointment at Eliasville Sunday.

Violet Johnson came home Monday, the 19th. She had been at Graham visiting her sister, Mrs. Jones, who with her husband has been running the Belmont Hotel while Mr. and Mrs. H. M. Jones were at Wichita Falls attending court.

As I am a new-comer and don't know anything to write either, I'd better quit and give some other good writer my space. I enjoy reading good letters from all the Correspondents. I'm sure I can do lots better next time. Hyacinth.

(Welcome, Hyacinth, and if you can do any better next time than you did this time you will sure be "going some." We hope that you will be a regular visitor from Eliasville.—Ed.)

Want Ads
For Sale—Second cutting of Johnson grass hay, 35c per bale delivered in Graham. L. H. Chambers, Rt. 1.
For Sale—A No. 1. Runabout for sale cheap. See Graham Auto Supply Co.
For Sale—Feterita seed at 3c a pound. Will deliver to Graham. Independent phone. J. G. Parsons, Burger, Texas.

W. L. McNEIL, M. D.
Office over Graham Nat'l Bank Both Phones No. 5.
GRAHAM --- TEXAS

DR. ROY W. RUTHERFORD
Graduate of Kansas City Veterinary College
Ind. Phone. Graham, Texas.

DR. W. A. MORRIS
Dentist
Office over Graham Nat'l Bank
Graham, Texas

REHDER & SON
Paperhanging and Housepainting
Graham, Texas

C. W. JOHNSON
Attorney at Law
Office West Side Square
Graham, Texas

DR. H. E. GRIFFIN
Physician and Surgeon
Office over Sloan Drug Store. Surgery at Beckham Sanitarium. Both Phones.

W. H. MARTIN
Veterinary Surgeon
Office at Union Wagon Yard. Calls Answered Day or Night. Ind. Phone 54. Night 98-2r.

SATURDAY, MAY THE 22nd, IS THE DAY THAT

The BALE of COTTON and RUG goes to SOME ONE at 3 o'clock, Saturday, May 22nd. Be on hand with your tickets. Everything in my store will be sold at CLOSING OUT prices until this date. I have just received lot of new Dry Goods and Shoes that will go at these prices. No goods returned or exchanged. These prices will be CASH—all goods charged will be regular price.

D. G. VICK.

LOWER TONK

The rain sure has been fine on the grain and other crops. Rev. Suttle filled his regular appointment here the second Saturday and Sunday.

Rev. McCord preached at the church house Monday night.

Rev. McCord spent Monday night at A. H. Jones'.

Mrs. J. R. McClannahan's sister and husband of Marlin, are visiting them a few days.

Mrs. G. W. Gowens and son, Clarence, went to Graham Tuesday.

Grandma Howard and Mrs. A. A. Timmons and daughter, Miss Sallie, visited Mrs. Jones one day last week.

Mrs. Lula Wadley spent a few days last week with her mother, Mrs. J. R. McClannahan.

Willie Wadley went to Fort Worth one day last week with some cattle.

Mrs. G. W. Gowens and Mrs. Sam Jones called on Mrs. Lee Jones Friday afternoon.

han, Mr. and Mrs. Willie Wadley, Jim and Miss Ethel McClannahan, their aunt and uncle from Marlin, Della Collier all went fishing on Clear Fork Friday. Mr. and Mrs. J. R. McClannahan went Saturday morning. All returned Saturday night but I did not learn what luck they had.

Mr. and Mrs. G. W. Gowens and children and Mr. Hollybee went to town Saturday.

Mrs. T. C. Wadley went to town Saturday.

Messrs. J. J. Gray, W. E. Moore, Jesse and Lee Jones all went to Graham Saturday.

Mr. and Mrs. Lee Jones and little Ruby Fay, spent Saturday night at A. H. Jones'.

Mr. and Mrs. G. W. Gowens spent Sunday with Mrs. Alice Moore.

David Hand and Geoffry Cheryhomes took dinner with the Jones boys Sunday.

Misses Lillie and Hallie Gray spent Saturday night and Sunday with home folks.

Mr. and Mrs. A. H. Jones and