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Volume VIII

WICHITA FALLS, TEXAS, WEDNESDAY, APRIL 14, 1915

Number 288

DEFENSE SHOWS ITS HAND IN GRAHAM COURT HOUSE SHOOTING

E. W. FRY AND R. M. TODD TELL STORY OF SHOOTING

FRY MAKES GOOD DEFENSE WITNESS

HOLDS TO DETAILS OF DIRECT TESTIMONY UNDER CROSS EXAMINATION

TODD CORROBORATES HIM

Fry Unable to Explain Why Party Took Cartridges to a "Friendly Hold-Up"

The defense has put its cards on the table in the Fry trial. E. W. Fry himself after being on the stand Tuesday afternoon, was cross examined Wednesday morning and Wednesday afternoon R. M. Todd, mentioned as Fry's "first lieutenant" was on the stand, giving a version of the case that agreed strictly with that of E. W. Fry.

Judge Fry told a story that was logical, well connected and, considered by itself, quite plausible. Perhaps the most interesting statement he made was when he declared that he himself was at the court house and took part in the shooting. With him, he declared, were Pete Fry and Pat Carlton; no one else. He swore that he had arranged with Cherryholmes for the "friendly hold-up" and Todd in turn swore that he had arranged matters with Dollins.

The stories of both Todd and Fry conflict with the State's theory and with the testimony of State witnesses at every turn. They both deny that any offer of money was made and they both admit that Ed Johnson was in the plot, hand and glove; Fry admitted, however, that he was to pay Lischke \$300.

The cross examination of Judge Fry occupied about two hours this morning. Judge Martin took the witness over all the testimony that he gave on direct examination and for the most part Fry handled himself as well as he did on direct examination. He declared that he did not understand that he was violating the law when he went to the court house, masked and armed, although Judge Martin had brought out that the defendant had read and studied law for a number of years.

The State went with emphasis upon the fact that although the "hold-up" was to be a "friendly" Judge Fry and the others went to the scene with loads in their pistols. When asked why he did this, Judge Fry said he could give no reason.

On the whole, Judge Fry made a much better witness than the defendant usually does in this county. Judge Martin said that he was impressed by the directness and promptness of his responses and the marked frankness of his testimony were features that no doubt made a favorable impression upon the jury.

The name of Judge G. W. Akin was mentioned during Judge Fry's testimony when the State asked the defendant if he did not know that legal means were at hand which he could have employed to obtain the papers he wanted. He replied that he had been informed that Judge Akin had been conferring with County Judge Stinson and that friends had warned him about Judge Akin's attitude. He said, however, that he believed Judge Akin would give him a fair trial and he considered Judge Akin his friend.

Judge Fry declared that when he fired, it was in defense of himself and his brother and Pat Carlton. He said that he shot at Cherryholmes, but he did not know who hit the officer.

Todd's direct examination was concluded at 2:40. At 3:30 his cross examination was still in progress. He testified that he was near the Belmont Hotel at the time the shooting took place.

The court room continues to be crowded daily and the number of women in attendance is larger than any previous trial in this county.

frases. Judge Taylor did most of the questioning of Fry.

That portion of Fry's testimony which appeared in The Times Tuesday night—with the defendant's life, official record, with his efforts to get the records, his asking Todd to help him, the latter's visit to Brown, the later visit of the witness himself to Brown and the conversation which Fry said he had with Cherryholmes in the cistern shed at the court house, in which he testified that Cherryholmes suggested the "friendly hold-up" and advised Fry and the others to come masked.

HIS TALK WITH CHERRYHOLMES.

According to the story which Fry related, Cherryholmes gave several suggestions as to the execution of this hold-up, telling Fry not to let them lead the guns and how many men to use. Cherryholmes suggested Ed Johnson as a good man to use, according to Fry.

E. W. Fry, Pete Fry and Carlton were the only ones at the court house when the shooting occurred, and all three shot when Cherryholmes opened fire. Judge Fry said he did not know which one of them fired the shot that struck Cherryholmes. He declared that he himself did not shoot until he believed that the lives of himself and his brother and Carlton were in danger.

A noticeable feature of Fry's testimony was when he declared that he himself was at the court house and took part in the shooting. With him, he declared, were Pete Fry and Pat Carlton; no one else. He swore that he had arranged with Cherryholmes for the "friendly hold-up" and Todd in turn swore that he had arranged matters with Dollins.

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The witness answered all questions with a directness and promptness that was notable and he himself well in hand at all times. At times he allowed his hand to play over his mouth and chin, and at other times sat with arms folded, facing his attorneys as they questioned him, then turning his head to look at the jury as he answered. His answers were mostly spontaneous and given with little hesitation and the feeling prevailed among attorneys who followed his examination closely, that he had been a good witness for the de-

they were there when we arrived and Carlton told me Todd had just said he would come and let us know if anything was wrong.

"We all had on masks and wore overalls. I had on a pair of overalls and had a sofa pillow stuffed into it. Johnson had on a red handkerchief. Todd and Lischke were not masked. Ed Johnson, Pete, Pat Carlton and I had on masks. I told Pete and Pat to be sure and take the cartridges out of their guns and throw the safety on and they did, and I did so myself.

TELLS OF GIVING SIGNAL.

"We waited about fifteen minutes for Todd and when he didn't show up, Johnson and I decided things were all right. Pat, Pete and I went to the court house; Johnson and Lischke stayed at the skating rink; Johnson said they would stay until they knew it was all right. Then we went to the court house.

"How far is it to the court house from where you were?"

"About 150 yards. We got to the court house and went around to the cistern and stopped and I knocked on the top of the cistern. That was the signal."

"Whom were you signaling?"

"Tom Cherryholmes. They got up right away. I could see their forms moving through the judge's office and walk out down the path (north) and then turn across (east) toward us. Cherryholmes was two or three steps in the lead, coming toward us."

"THROW UP YOUR HANDS!"

"Carlton said, 'throw up your hands.' Witness did not remember whether Carlton used the epithet attributed to him by Cherryholmes."

"Cherryholmes said, 'I'll never do it.' I said, 'put up your hands; boys, it's Fry.'"

"Cherryholmes shot and hit Pete Fry. I ran to Pete and holloed to stop shooting. Then Pat Carlton fell loaded my gun and started shooting. Fry was shooting from where he was on the ground. I don't know what Cherryholmes was standing on. I saw Pete's head. Pat fell on his hands and knees and he was still shooting. Pat Carlton fired the first shot at them."

The witness described the location of himself, Pat Carlton and Pete Fry with reference to the cistern and the court house. He emptied his revolver, light shots.

SAYS DOLLINS RAISED HANDS.

"What did Dollins do when you said to put up your hands?"

"He put up his hands, holding his shotgun up, like this."

Continuing the witness said that Pete was not badly hurt and that he and Pete carried Carlton, who seemed to be badly wounded. They put their arms around him and carried him between them, going out of the court-house yard, over the fence in a southeasterly direction to the Presbyterian church, just as they got to the fence, they heard somebody shoot from the place where the shooting had been and witness heard a bullet whizz over his head.

CARTON FOUL TO STOP.

"We got across to the Presbyterian church and Carlton says, 'I can't go any farther and he let go his hands and dropped; then Pete turned back. We laid Carlton on the church steps and I heard someone walking 'like they were coming after us. I thought somebody was after us. I thought they would kill us, as I didn't have a load left in my gun. We decided to leave Carlton at the church and go home and get my shotgun. We went home and I bathed Pete's wound; he didn't seem badly hurt, was bleeding a good deal. When I went for the shotgun, my wife and I found him dead. I told her what the trouble was, that Carlton was wounded and she wouldn't let me go. Then we heard Pat coming in."

"What you went to the court house were you expecting any trouble?"

"I certainly was not. We went for the purpose of getting a copy of the auditor's report and to see the list of names signed to those checks."

"Were you expecting anything to happen?"

"We certainly were not."

"Why weren't you?"

"We had been assured that Cherryholmes and Dollins were good friends of ours and would let us see the papers."

"Did you intend to destroy any of the papers?"

"I certainly did not."

"State how the vault was to be opened."

DENIES LISCHKE WAS THERE.

"Lischke was to work the combination and was to go inside, shut the door; I brought an electric light globe in my pocket in case there wasn't one inside. Lischke was to leave as soon as he opened the safe, as that was all he was there for."

"Was Lischke or Todd present?"

"No."

"Were you expecting a shot from Cherryholmes or Dollins?"

"No."

The witness said he did not shoot until he believed that himself, his brother, Pete and Pat Carlton were in danger of death or serious bodily harm. He said he would not have fired had he not believed this.

"Did you have any ill feeling against Cherryholmes or Dollins when you went there?"

"I did not."

(Continued on Page 2)

DOCTORS ADJOURN SEMI-ANNUAL MEET

MINERAL WELLS MAN CHOSEN PRESIDENT AND THAT CITY MEETING PLACE

NEARLY 200 IN ATTENDANCE

Banquet Held Last Night and Doctors Heard Address From Former Judge

Concluding an interesting session yesterday afternoon, at which a number of instructing papers were read, the visiting physicians in attendance at the Northwest Texas Medical Association, were taken for an automobile ride over the city and to Lake Wichita returning to enjoy a feast of good things provided by the local reception committee. This feature of the occasion included a light banquet, some splendid music and a vaudeville program that was greatly enjoyed by all in attendance.

At the evening session of the association Judge F. A. Martin was the principal speaker, delivering an address on "Medical Expert Testimony." Judge Martin paid a splendid tribute to the medical profession, eulogizing its members to their conscientious regard for duty. In this connection he made some valuable suggestions as to the duty of the physician and deplored the practice of importing expert testimony in the trial of cases, declaring that such practice should be prohibited by law. Judge Martin was given close attention during the course of his remarks, which were liberally applauded.

Dr. Joe E. Daniel also spoke at the evening session, discussing "Medical Life Insurance." The address brought out many interesting and instructive points and received interested attention on the part of the hearers.

Quite a number of physicians came in last night and the attendance today almost reached the two hundred mark.

The Northwest Texas Medical Association concluded its work here at noon today, following the selection of officers and the location for the next meeting, which will be held the second Tuesday in October.

Mineral Wells was selected as the next meeting place and the following officers of the association were elected:

Dr. J. H. Eastland of Mineral Wells, President.

Dr. C. F. Young of Bowie, vice president.

Dr. R. A. Duncan of Graham, secretary.

The committee on resolutions composed of Dr. H. H. Key of Jacksboro, Dr. C. B. Williams of Mineral Wells and Dr. C. F. Young of Bowie, submitted the following report, which was unanimously adopted:

"We our committee on resolutions of thanks to the Wichita County Medical Society and the citizens of Wichita Falls, beg to report as follows: We enjoyed a most helpful, entertaining and interesting scientific program, as well as a most hospitable social session, be it."

"Resolved that we extend to them our most sincere thanks for the interest and the good of the society while in its midst."

"During the progress of the forenoon session papers were read by Dr. M. M. Walker of Wichita Falls; Dr. I. D. Russell of Petrolia; Dr. R. A. Duncan, Dr. C. H. McCollum of Fort Worth; Dr. C. C. Terrell of Fort Worth and Dr. C. B. Williams of Mineral Wells."

The session was largely attended and said to have been the most successful in the history of the organization.

BURGLAR GOT \$1.25 FROM PREACHER'S HOME

Money, However, Belonged to Guest Who Found Clothes Missing This Morning

One dollar and twenty-five cents was the sum burglars, breaking into the residence of Dr. A. L. Andrews, pastor of the M. E. Church, South, Tuesday evening, received for their trouble. Miss Andrews, Miss Simpson, Will Andrews and C. V. Durland had motored to Electra for Dr. Andrews, who conducted services there last night. Mr. Durland was spending the night at the Andrews home and on the party's return late in the evening the two young men retired in a downstairs room. A back door was left unlocked and through this the intruder entered, it is supposed, as no screams or windows were damaged.

When getting up time came this morning neither Mr. Andrews nor Mr. Durland could find their clothes. About this time the neighbors discovered various articles of clothing hung on the lattice fence at the rear of the Andrews residence and terminated the search. Money seems to have been the object of the person or persons entering the house, money-drawers containing change being taken from Mr. Durland's pocket and a small purse belonging to Miss Andrews, containing thirty cents was missing. The watches and other valuables in the young men's clothes were untouched, as was three dollars in Will Andrews' inside vest pocket. Nothing else was missing from any of the rooms.

RUSSIANS ENDANGER AUSTRIAN RIGHT

RUSSIANS CLAIM TO HAVE ROUTED ENEMY IN DESPERATE ATTACK

EXPOSING WHOLE FLANK

Russians Occupy Position Three Miles From Ussok and Advance On Wide Front

By Associated Press. London, April 14.—The British government has decided against the placing of cotton on contraband list. Question was asked in the House of Commons this afternoon on the subject and Neil Primrose, under secretary of the foreign office, replied that after careful consideration it had been found that he military advantages to be gained by declaring cotton contraband were insufficient to render such a declaration advisable.

In a short but very impressive ceremony, the corner stone of the new Episcopal Church at the corner of Tenth and Burnett was laid yesterday afternoon at 5 o'clock.

Preceding the ceremony about 100 members of the Masonic Lodge marched from their hall at the corner of Seventh and Indiana to the church site and the ceremony of that order was carried out.

For the occasion the church organ had been removed to the new building and selections of beautiful and appropriate music were rendered by the vested choir, occupying a position on the temporary floor of the new building.

Owing to a failure to make railway connection Archdeacon Crittenden who was to have delivered an address, failed to arrive and the feature of the program was omitted.

Quite a number in addition to those participating attended the ceremony.

Increased activity has been noted at the Tardanelles which may foreshadow the near approach of a renewed attempt to force the straits in cooperation with land forces. Rumors persist of German warship-cruising in northern waters of the North Sea.

HEAVY EXPORTS AND CONSUMPTION

AMERICAN COTTON MANUFACTURERS MADE RECORD DURING MARCH

EXPORTS NEARLY DOUBLE

Italy Making Up For Lack of Takings From Germany Year's Figures Still Behind

By Associated Press. Washington, April 14.—Heavy takings by domestic manufacturers and heavy exports were the features of the March cotton statement of the census bureau's report made public today. The report shows that domestic manufacturers used during the month \$22,595 bales exclusive of lint, which is a record for monthly consumption, being 6,000 bales more than has been used in any month since the census bureau began collecting monthly statistics two and one-half years ago.

Cotton exports amounted to 1,398,573 bales or almost double what they were in March last year. The month's exports brought the total of the first eight months of the cotton year beginning in August up to 6,659,613 bales or 1,246,653 bales under last year's exports for the same period.

The war's effect on cotton exports is indicated in Germany's takings which for the eight months have been 362,661 bales against 2,430,712 bales for the same period of last year. France has taken less than half the quantity of cotton last year, but Italy has more than doubled her cotton imports from the United States. Great Britain took 1,470,000 bales more than the same period last year. All other countries took 2,119,685 bales against 1,160,029 bales in last year's period.

MANY ATTEND FORMAL OPENING OF CREAM BAKERY

Many attended the formal opening of the Cream Bakery in the new location on Seventh yesterday afternoon and evening and were shown through this splendidly equipped place, which is provided with the latest and most sanitary machinery that could be purchased. Not only is the baking department up to date in every way but the salesroom and confectionary department is very attractive and conveniently arranged.

Mr. Stampff gave out as souvenirs of the occasion, a card good for a ten cent loaf of bread, something carrying with it a value, as well as a reminder of the visit. He also distributed small sample loaves of Butternut bread.

MAN KILLED IN FALL FROM OIL DERRICK AT SOUR LAKE

By Associated Press. Sour Lake, Texas, April 14.—Ed Wells, aged 24, fell 85 feet from a derrick today and was instantly killed. He leaves a young wife and a brother and mother.

GREAT BRITAIN WILL NOT MAKE COTTON CONTRABAND

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MASONS LAY CORNER STONE OF NEW CHURCH

Mark Laying Corner Stone Episcopal Church

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Market Reports

Chicago Grain Futures.

By Associated Press. Chicago, April 14.—Wheat scored a lively advance in prices today as a result of large export sales, said to have been made yesterday at the session. There was some selling later but the offerings were readily absorbed. Assertion that more moisture in the domestic winter crop had tended to favor the bulls. After opening \$2 to 1 1/4 higher, prices underwent reaction and then again took the upward grade. Extraordinary additional strength developed later in wheat, owing to signs of great expansion of European demand. The close here was excited. Reports of an enlargement cash demand from corn caused strength in that grain. Closing prices: Wheat, May 1.04 1/2; July 1.25 1/2; Sept. 1.15. Corn, May 74; July 76 1/2; Sept. 76 7/8. Oats, May 57 1/2; July 54 3/8; Sept. 48 3/8.

Fort Worth Livestock.

By Associated Press. Fort Worth, April 14.—Cattle receipts 300, steady; beefs \$6.25 to \$7.00. Hog receipts 1500, steady; heavies \$7.10 to \$7.15. Sheep receipts 2000, 15 cents higher.

Kansas City Cash Grain.

By Associated Press. Kansas City, April 14.—Wheat No. 2 hard 1.31 1/2; No. 2 red 1.50. Corn No. 2 mixed 74 to 75. Oats No. 2 white 58 1/2 to 59.

New York Cotton Futures.

By Associated Press. New York, April 14.—While Liverpool cables were barely up to expectations the cotton market opened steady at an unchanged price to an advance of five points today and sold about three to six points net higher during the early trading. Renewed covering by May shorts rallied the market during the middle of the morning, bringing May to 9.37, or a new high record for the season, while the general list showed net gains of from 7 to 9 points. Realizing then became more active easing prices up and the market shortly after midday was comparatively quiet. Trading was less active during the middle of the afternoon with prices fairly steady and about three points higher. Closing prices: May 9.37; July 10.09; Oct. 10.52; Dec. 10.72; Jan. 10.77.

GERMAN

By Associated Press. Berlin, April 14.—The German headquarters today gave out the following official statement:

"In the western theatre an attempt made by the enemy to advance at night at Berry-Au-Bac failed. Northwest of Verdun the French yesterday employed against our line mine attack using bombs developing smoke and asphyxiating gases. Between the Meuse and the Moselle fighting continued. During a strong French attack against our Malsberg-Martheville line the French penetrated our position on one narrow section, but they speedily were driven out by counter attacks. On the remainder of this front the French attack broke down. Between Combers and St. Mihiel there were only artillery duels. In the forest of Ailly three enemy attacks were repulsed. An attack on both sides of the high road between Effey and Fallery failed on the west of this road, and led to fighting at close quarters on the east of it, in which our troops retained the upper hand. In the forest of Le Petre there was no fighting and in the Bouffes a French advance on Fchenpen-Rietkhof, southwest of Metzeral, failed. In the eastern theatre the situation remains unchanged."

Following the meeting of the executive committee in the afternoon an open meeting was held Tuesday evening. In the absence of Mayor Britain Rev. R. C. Miller of the First Baptist church delivered the address of welcome to the convention workers in behalf of the town. Dr. J. L. McKee of the First Presbyterian church spoke in behalf of the churches, and Mrs. F. F. Walters and Mrs. C. C. Smith gave a welcome from the missionary societies and the local union. The address of the evening, "The Importance of Being a Member of the W. C. T. U." was given by Mrs. C. B. McGrath and Mrs. McCurdy of Decatur gave a brief talk on "Why We Wear the White Ribbon." The meeting was presided over by Mrs. Ida Arnold, president of the local union. The close of the program was marked by the singing of "We're out for Prohibition" to the tune of "Dixie." The talks of the evening were all very inspiring in nature and from the interest manifested a very successful convention it is to be expected.

35 PER CENT TEXAS SCHOOL CHILDREN HAVE HOOKWORMS

By Associated Press. Austin, Texas, April 14.—According to the current quarterly report of the State Hookworm Commission, just compiled, 35 per cent of the 36,740 school children examined since the campaign started for the eradication of the disease, have been found infected. The disease, says the report, is more prolific in the southern part of the state—especially in those sections where sanitary conditions are poor.

SPECIAL

Just received a shipment of Whiting's Initial Correspondence Cards and Envelopes, also Box Stationery with beautiful Gold Initials. The niftiest stationery on the market. (Only 49c per box.)

This Week Only

Harrington's

Corner 9th and Indiana

Free Delivery

The Slogan Is:

"Meet Me At The
\$10,000
Shoe Sale"

4000 Pair of Shoes must be sold regardless of cost within the next ten days.

"3 Pairs of Shoes for the Price of One"
For Friday and Saturday

600 men's shorts worth \$1.25 and \$1.50 for **77c**
About 150 men's sample straw hats, worth \$3.00, \$4.00 and \$5 go at only **\$1.50**

Saul Lebeson

See Windows—You'll buy them.

At the \$10,000 Shoe Sale, 618 8th St.

RUSSIA CAN EXPORT THROUGH ARCHANGEL

Within Few Weeks That Port Will
Be Ice Free Giving Outlet For
Products

Washington, April 14.—The National Geographic Society today gave out the following statement concerning international commerce in Europe and the bearing that the Bosphorus and the winter weather has on it:

"The European war has remade the commerce of every trading nation in the world, but it has effected no greater changes anywhere than those which have taken place in Russia. When Turkey plunged into the struggle, Russia, like Germany, practically found herself without a port. But there was no neutral Holland or neutral Switzerland and Denmark across the great international trade routes of the Muscovite. Germany's ports are closed, as are Russia's but still it is still doing some selling to the outside world, because Danish, Dutch and Swiss centers find it profitable to handle its goods.

"Germany, Austria-Hungary and the Ottoman Empire shut Russian goods completely out of Europe. Germany controls the Baltic and Turkey locks the Black Sea at Bosphorus. The thousands of tons of golden butter that formerly poured into Germany, France and Great Britain from Finland and from the wonderful butter provinces of Siberia, have ceased to flow. Thousands of tons of Russian beet sugar that sold into Persia and Turkey, reports announce, must this year be absorbed by the Russian markets on account of the war hazards of the Black Sea. Likewise, the Persian and Levantine markets for Russian cloth have ceased.

"Hundreds of shiploads of Russian wheat, which formerly left Odessa for all the ports of Europe, have now no outlet. Russian furs, of which enormous quantities were annually placed upon the world's greatest fur markets, London and Leipzig, reach the outside world now only in small lots through Siberia. The great petroleum stores of Baku cannot be shipped for sale to Russia's allies. And her other agricultural, mineral and forest products are war bound.

"There remains open for the foreign trade of Russia practically only Vladivostok, and the freight charges to and from this far port severely limit the amount of trans-Siberian business that can be profitably done. Some trade may flow through Rumania. However, none of Russia's great trade routes run this way, and facilities for the carrying out of a large import and export business here are lacking. With Bulgaria in the war, this will be sealed. Nevertheless, a port toward Europe will open for the Russians some weeks hence, and its opening may bear important results for the struggling Russians. This port is Archangel, a great harbor, ore and fishing vessels through its scant summer, whence innumerable smaller boats carry their cargoes around North Cape, down the Norwegian coasts, to European markets. It is probable that with the opening of this port, much of Russia's butter, poultry, grains, sugar and other agricultural products will be released to the friendly markets of Europe, and that much-needed manufactures will flow in this way."

Your Mistake.

A common error in buying is to ask for face cream, instead of saying Nyl's Face Cream—which would obtain for you the best your complexion. Nyl's Face Cream frees the skin of blemishes and makes it soft and healthy. Grainless and anti-spectic. For your skin, Miller Drug Store—Advt.

Lodge Directory

Wichita Falls Camp No. 12806 M. V. of A. meets every Thursday at 8 p. m., 124 1/2 Seventh street. R. M. B. Ward, Consul; R. G. Cook, Clerk.

The Wichita Falls Grove No. 1441 meet at old Odd Fellows Hall every Monday at 2:30 p. m. S. E. Noels, clerk; Mrs. Martin, guardian.

At The Theaters

The Majestic
A George Ade comedy, "The Fable of the Cold Gray Dawn of the Morning After," and a Billy Russell play, "Master Key," No. 14 makes up today's program. At the beginning of the fourteenth installment Ruth and Dore are in the camp of beggars, not far from the camp of Wilkerson and his men. Both men soon realize that they are in for trouble and plenty of it as the surviving Hindu priest calls upon the hillmen to revenge the death of his brothers and recover their sacred idol from the white men. The families prepare for a war of vengeance. Wilkerson's party is lost and camped for the night in a deserted hut. In the meantime Ruth has been left at the American consulate and Dore and Sir Donald's native servants go to regain the idol, having been informed that it is being taken to the hills. Both Dore and Wilkerson are set upon by the hill tribe and in the common cause of safety unite in repulsing the enemy. Meanwhile Ruth is enjoying herself at gay ball at the consulate. She has a vision of Dore, bound by Wilkerson's men, lying on the floor of the deserted hut. Dore is in fact in grave danger for Wilkerson, after the danger from the natives has passed, seizes Dore and makes him his captive. The scene fades, and the next and last installment must be awaited for the outcome.

The Lydia Margaret
Today is the last showing of the entertaining, vaudeville bill here for the first half of the week. The laughable sketch of Keadell and Hinkley and the musical comedy burlesque act of Danley and Merrill are both meritorious and have been much enjoyed. The bill the last half of the week promises to be even better, the management having a surprise in the way of vaudeville to offer. Today's pictures include Cleo Ridgeley and Ruth Roland in "The Mystery of the Tea Dansant," a two part Kalem "girl detective" picture and a Nestor comedy, "A Coat's a Coat."

The Gem
Charlie Chaplin is featured in a two-part comedy, "The Tramp" and a big three-part drama, "The Regenerating Love," completes the program. Orni Hawley, Earle Metcalfe, Eleanor Barry, Justina Huff and Kempton Greene are featured in the latter picture, a synopsis of which follows:

A dozen years of evil quarrels, Henry Davidson takes his little boy, Bob, and goes west, leaving his wife Julia and her baby girl, Ethel, fairly well provided for. Years pass and Bob, growing to young manhood, tires of his father's irascible temper, leaves to battle with the world alone. In his wanderings, he falls in with Hayden and Belle, a vaudeville team, and becomes associated with them. Davidson has returned to his wife and effected a reconciliation. He dies with a last request that the boy, Bob, may be found and restored to his vast estate. Through a newspaper article Hayden learns that Bob is being sought by his mother and sister. He induces his partner, Belle, to keep the boy's address while he takes Bob's papers and hunt up the family. There he poses as the lost son and is well received but he falls in love with Ethel who supposes him to be her brother. The strain is too great and he goes west to find Bob who in the meantime has married Hayden's partner, Belle. He tells his story and urges Bob to return to his mother, but Bob insists that they all go together. Hayden tells the story of his duplicity and Ethel realizes that her love was more than that for a brother. Their happiness makes it easy for Ethel to forgive, and Hayden wins the reward for his regeneration.

The Empress
Today's feature attraction is "The Man Who Found Himself" with Robert Warwick featured. This photoplay is based upon the drama which, when it was produced and successfully so, a few years ago, was called "The Mills of the Gods" in New York and "The Coward" in Chicago. The author George Broadhurst was, and is, a master of stage construction and his polished craftsmanship is seen in the story of this photoplay which will be released by the World Film Corporation.

There is something of a problem in this play, not a sex problem, but one which concerns the vital parts of a young man's career. James Clarke has fallen into disgrace by theft and

forgets; has been sent to jail and escapes. This is where his problem presents itself.

Society, i. e. his old associates and partners in error, won't let him go straight. They never do—or more accurately, perhaps, they frequently do not. It is the main an unforfeiting world. People have long memories as James Clarke in this film-play found to his cost.

James was tracked down by a brother thief, who had served his full time. James was working hard. He had saved a girl's life and they were mutual lovers. Payton, the blackmailer, tightened his hold, so Clarke, the poor fellow, was driven to desperation. Payton, in the last resort of the quarrel called Clarke a coward.

But coward he was not. He accepted the situation. He resolved to defeat his enemy. "He had found himself." So he voluntarily went back to prison to serve the remainder of his sentence, conscious that his girl would wait for him and would marry him when came out.

Robert Warwick's sterling abilities find splendid scope in this role, and the production, in the hands of Frank H. Crane is, in every way worthy of the theme. There is a wonderful supporting cast in the photo drama, and the offering will assuredly please millions.

**ANTI PASS LAW SUITS
MAY CUT ATTENDANCE**
By Associated Press.
Austin, Texas, April 14.—The attendance at the state meeting of the

Texas Farmers' Institute Association to be held here next July, may be seriously affected it is said by the suits recently filed by the attorney general against forty-one of the leading rail-

roads of Texas, asking for an injunction to restrain the roads from issuing free passes on the ground that exemptions in the anti-pass law of 1907 are unconstitutional. Fred W. Davis, State Commissioner of Agriculture, held a meeting recently with J. H. Hill, president of the General Managers' Association of Texas railroads, regarding issuance of free transportation to the 2,000 delegates usually attending the farmer institute meetings. The matter was temporarily held in abeyance. One of the exemptions in the anti-pass law permits railroads to issue free passes to accredited delegates to such meetings. Unless passes are issued, Mr. Davis fears the attendance in July will be very small.

JUDGE FOR YOURSELF
Which is Better—Try an Experiment or Profit by a Wichita Falls Citizen's Experience
Something new is an experiment. Must be proved to be a representation.

The statement of a manufacturer is not convincing proof of merit. But the endorsement of friends is. Now suppose you had a bad back. A lame, weak or aching one. Would you experiment on it? You will read of many so-called cures. Endorsed by strangers from far-away places. It's different when the endorsement comes from home. Easy to prove local testimony. Read this Wichita Falls case: Mrs. G. A. Swope, 612 Burnett St., Wichita Falls, Texas says: "I had pains across the small of my back and in my sides and trouble with the kidney secretions. My ankles became swollen. A few boxes of Doan's Kidney Pills cured me. I seldom have occasion to use a kidney medicine now, but when I do, Doan's Kidney Pills always give fine results." Price 50c at all dealers. Don't simply ask for a kidney remedy, but get Doan's Kidney Pills, the name that Mrs. Swope had. Foster-McMillan Co., Buffalo, N. Y.—Advt.



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If anywhere you find men ready at an instant's notice to do what is required of them, you find them in our army.

And few men love good tobacco like these iron-nerved soldiers—the steadiest, truest marksmen in the world.

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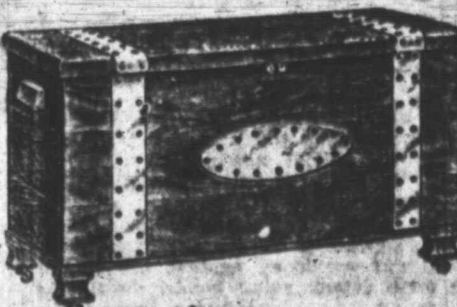
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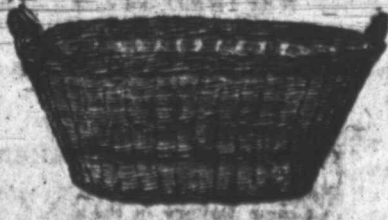
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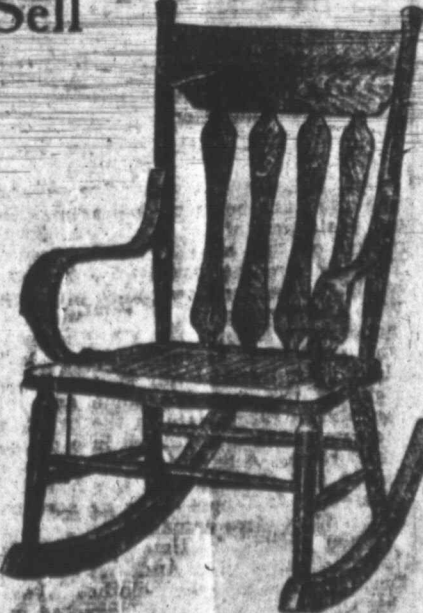
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OFFENSE SHOWS HAND IN
GRAHAM SHOOTING CASE

(Continued From Page One)

INTENTIONS OF WITNESS.

"When you went there and said 'hold up your hands' had you any intention of destroying any of the papers?"

"No."

"Why did you want to see those papers?"

"To defend myself in a criminal prosecution and to protect my friends in the civil suit."

"The witness stated, when questioned, that he thought it was as much within his legal rights to see the records as it was for the county judge and officials to lock them up."

"Who is the proper custodian of the documents?"

"There was considerable argument and some warm words passed, as to the admissibility of this evidence. The form of the question was changed."

"From your observation and experience as county judge, whom did you believe the proper custodian of the records?"

"The county clerk."

"While you were county judge did any office outside of the county clerk keep such documents?"

"No, sir."

ABOUT PLOT AGAINST HIM.

Further questioning on direct examination dealt with the report of the finance committee which was organized when Judge Scurry was district judge. The witness said he had seen this report, and some questions as to the ability of the auditors on that committee met with objection by Judge Martin. Defense attorneys replied that the witness, knowing the contents of this report and that it gave him a clean bill, had a right to think he was being persecuted later on."

Judge Fry said that Burkett, one of the finance committeemen showed him the report, which dealt with the county's indebtedness and other matters."

The witness testified that he had told Todd that the report to let him see the papers was part of a put-up job by Stinson and Reynolds to run him out of the legislature, that he (Fry) had introduced a bill at Austin which would settle the county seat controversy in Young county, Graham and having been a rival claimant for the county seat."

"How did Stinson stand in that county seat fight?"

"Nobody ever knew."

"That ended the direct examination and it being nearly five o'clock, court was adjourned until Wednesday morning."

Cross Examination

Cross examination of Judge Fry began when court opened, Judge Martin being the interrogator. The witness said that he had read some law in Missouri, but was not a licensed attorney. He said he was tax assessor of Pike county, Missouri, when he was 21, serving four years, then coming to Young county. He said he did not think he read much law during his first few years in Young county, but that when he was elected county judge he studied law considerably, but said he was not studying for admission to the bar."

"You were studying Texas laws, weren't you?"

"Yes, sir."

"You knew it was a violation of Texas law for a man to disguise himself, arm himself and go out and enter a vault?"

"Yes, sir."

"He said he knew it was against the law to carry a pistol, to bribe an officer and to forge a check."

"Taking up the witness' election to the legislature, Judge Martin asked if witness did not know the county was 'broke' at that time. Judge Fry said he knew there was no money in the treasury. Witness said that Brown, Burkett, Cusenberry and Marshall were his friends so far as he knew, and that he and Cherryholmes were friends."

"Was there ever any unfriendliness between you and these county officers?"

"No."

"He said there had never been any unpleasantness between himself and Stinson except a 'little campaign thunder' which he did not hold against him. Witness said he knew the audit of the county books was being made. The witness said he knew the finance committee went over the books and he thought they examined the warrant and checks; he said the committee was allowed only five days for its work. Judge Fry said Burkett's report showed the balances in each fund. Witness told of his arrest and of his authorizing Fred Arnold to arrange bond for him, and said the day after his arrival he sent Arnold for the papers and that Arnold brought the six complaints to him, each containing what purported to be a copy of the check in question; witness said Arnold told him he could not see the warrants themselves."

"Didn't you know as a matter of law you could demand to see these documents?"

"Witness said his attorney told him he was unable to see the papers and that in view of the relations of the present district judge (Akin) nothing could be done."

"He said Judge Akin was talking and advising with Stinson. Witness said he did not believe Judge Akin would issue an order for the papers, though he considered Judge Akin his friend."

"Didn't you know that the county attorney's receipt had been given for the papers and that they were kept in Judge Stinson's vault because there was no safe in Marshall's office?"

"I didn't know that."

"Did you ask Stinson to let you see those papers?"

"No."

"Did you ask County Attorney Marshall?"

"No."

"Didn't you know Attorney Saw Papers?"

"Don't you know that on the Tuesday before the killing Judge Miller came to Graham and asked to see those papers and Stinson called me and I said it would be all right and

they agreed to let Miller and Cusenberry look at the papers Wednesday when there was plenty of time?"

"No I didn't know that. He said someone, he thought it was Cusenberry, said that the lawyers were trying to get the papers and that they couldn't see them. He said he had seen Judge Miller but that Miller had not been employed as his attorney. The next thing he heard, he said, was that the papers were in the sheriff's office, but he thought this might have been a mere suggestion on his part, that 'we discussed it'."

"Who do you mean by we?"

"Witness named several Graham citizens but said he did not discuss getting the papers out. He said he asked Burkett for the combination, but Burkett did not know it; he said he did not tell Burkett why he wanted to know and that while he did not exact any pledge of secrecy from Burkett he assured the latter that no harm would come of it."

"You intended if you got this information from Burkett to work the combination yourself?"

"Yes, sir, that was the only idea I had in mind."

Combination Changed

He said Brown told his emissary, Todd, that the combinations had been changed. He said he had first told Todd of the matter the Monday before the shooting, that he had been fairly intimate with Todd for four years."

"How many times had Todd been charged with crime?"

"The jury was instructed, on objection by the defense, not to consider this as testimony against Todd, but as against E. W. Fry. The defense took a bill of exception."

"I don't know," said the witness. "Two or three or four times. He was in the courts several times."

He did not know that Cherryholmes and Johnson ever arrested Todd. He said Todd and he were good friends."

"Did you visit his residence and did he visit yours?"

"Did you go in the same social circles?"

"Witness did not know about this; he did not know what church or lodges Todd attended or whether he attended any."

"You picked him as your emissary?"

"I did."

"You sent him to Newcastle and told him you had \$1,000 to give for those records?"

"I didn't have \$1,000 at that time. I didn't tell him that."

"You sent Pete back the second time to see Brown?"

"Yes, on Saturday."

"What did you tell him to do?"

"To tell Brown to come to Graham."

"In the meantime you sent Todd to Fort Worth to get a man for your work?"

"Yes."

"Did you pay Todd's expenses?"

"No."

"What did he tell you his name was—Barker, or Lischke?"

"Lischke—he gave me one of his cards. He said he did not see Lischke on the latter's first trip."

Judge Fry said that he believed the papers were in the sheriff's office until Todd talked to Cherryholmes, who told him they were in the judge's office."

"What did you want with Brown?"

"What did you want with Riley Dollin?"

"What did you want with Riley Dollin?"

"Brown couldn't come Saturday night so Lischke left."

"You sent him to see Todd?"

"Witness said Todd told him he had arranged to notify Lischke when to return, but that Todd said nothing about the code 'moving picture' as a means of notification."

Judge Fry said that he had many friends in Newcastle and admitted that when he went to see Brown Sunday night he saw none of these and moved as secretly as possible. He then told of the conversation with Brown in which the latter promised to come to Graham next day."

"Did you remember stopping a Gentry Williamson's place on the way back?"

"We stopped for some matches."

"You sent Pete, didn't you?"

"Yes, Pete went."

"You kept yourself in the ground?"

"In a way, yes."

"Was it for fear you would be suspected?"

"My idea was that some of the parties watching me might get suspicious."

"You went to see Cherryholmes?"

"Yes."

"And sent Todd to see him?"

"Yes."

"Don't you know that Cherryholmes and Todd didn't like each other?"

"I didn't know it."

"Didn't you know Cherryholmes was an honest, upright man of high standing?"

"Yes, I considered him a good man."

"And you tell this jury Cherryholmes agreed to let you in that vault?"

"Yes, he readily agreed to it."

"Did you offer Johnson any inducements?"

"No."

"Did you offer Cherryholmes any?"

"No."

"Because of Friendship."

"The jury was instructed because of their friendship and admiration for you?"

"Yes."

"Witness said Todd had not told him he was going to get Carlton. The use of the words 'emissary' and 'our first lieutenant' by Judge Martin referred to Todd, was objected to; sustained."

\$300 Lischke's Pay.

He told of the meeting at his house on Tuesday night and said he sent for some lunch and put out about half a pint of whiskey which he had. He offered Lischke \$300 for his services."

"Todd said that that was what he wanted and I agreed to pay it."

"Did you tell him the money was in Vick's safe?"

"No, sir."

"Did you tell the boys your friends had raised \$2,000 and that it was in Vick's safe?"

"I did not."

Fry said he had about \$100 and that he borrowed \$200 from Dr. Terrell, but that Dr. Terrell didn't know

(Continued on Page Four)



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WHO CAN DOUBT SWORN
TESTIMONY OF HONEST FOLKS?

Some time ago I began the use of your Swamp Root with the most remarkable results. For years I was almost a wreck and was a great sufferer. I was so bad at times I would faint away and had sinking spells. Finally a new doctor was called in and he said that I had kidney trouble and gave me medicine, of which I took several bottles. I obtained some relief from this but I was getting weaker all the time; I could not sleep and suffered so much pain that my husband and children had to lift me in and out of bed. After this time two friends sent me word to try Swamp Root, which I did; and I am glad to state that the first dose gave me great relief. After taking the third dose I was helped into bed and slept half of the night.

I took several bottles of Swamp Root and I feel that I owe my life to this wonderful remedy. The two family doctors said that I could not live three months. I would have to be helped in and out of bed ten to twenty times every night. After taking Dr. Kilmer's Swamp Root for two days I was entirely free from getting up and could sleep soundly. Mrs. D. E. Hilleman, Tunstetter, W. V.

Personally appeared before me this 14th of September, 1908, Mrs. D. E. Hilleman, who subscribed the above statement and made oath that the same is true in substance and in fact.

JOSEPH MILLER, Notary Public.

Letter to Dr. Kilmer & Co., Binghamton, N. Y.

Prove what Swamp Root will do for you. Send ten cents to Dr. Kilmer & Co., Binghamton, N. Y., for a sample size bottle. It will convince anyone. You will also receive a booklet of valuable information telling about the kidneys and bladder. When writing be sure and mention the Wichita Falls Daily Times. Regular fifty cent and one-dollar size bottles for sale at all drug stores.—Advt.

GOVERNOR OPPOSED TO
SEPARATING STATE SCHOOLS

Associated Press
Austin, Texas, April 14.—It is said he is practically certain that Governor James E. Ferguson will oppose the adoption at the polls of the proposed constitutional amendment to divorce the University of Texas and the Agricultural and Mechanical College. This proposed amendment, known as the Sackett resolution, was passed at the recent regular session of the legislature. The governor did not sign it, however, but filed it with the secretary of state without prejudice. The governor, however, is understood to oppose the divorce of the institution and will fight its adoption before the people.

SEVERE PUNISHMENT

Of Mrs. Chappell, of Five Years' Standing, Relieved by Cardui.

Mt. Airy, N. C.—Mrs. Sarah M. Chappell of this town, says: "I suffered for five years with womanly troubles, also stomach troubles, and my punishment was more than any one could tell."

I tried most every kind of medicine, but none did me any good.

I read one day about Cardui, the woman's tonic, and I decided to try it. I had not taken but about six bottles until I was almost cured. It did me more good than all the other medicines I had tried, put together."

My friends began asking me why I looked so well, and I told them about Cardui. Several are now taking it."

Do you, lady reader, suffer from any of the ailments due to womanly trouble, such as headache, backache, sideache, sleeplessness, and that ever-lasting tired feeling?

If so, let us urge you to give Cardui a trial. We feel confident it will help you just as it has a million other women in the past half century.

Begin taking Cardui to-day. You won't regret it. All druggists.

Write to: Chatterbox Medicine Co., Ladies' Advisory Dept., Chatterbox, Tenn. For Special Circulars, and also for full directions. Sent free by mail. P. O. 185

(Continued on Page Four)

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live of an ex-president to criticize a successor, but that no obligation exists for such successors to reply. The standards of the chief magistracy have been greatly altered in six years. One of Col. Roosevelt's main activities was making sulphurous reply to criticism from any and all sources.

What satisfaction can an ex-president get out of denouncing a president if the latter irritatingly declines an answer.

LEADERS TO THE SAME END.

(Dallas Evening Journal)
The Rev. J. Frank Smith of the Central Presbyterian church puts greater emphasis upon religion than upon denominationalism. He is a Protestant with Catholic thought.

He is pledged to his official board to carry out this idea in the building of "City Temple," the great institutional church, contract for which has been let by his organization to devote a window in the main auditorium to commemorating the memory of each of the leaders of great denominational movements. He says:

"I think the time has come in Dallas for a church which will exalt the work of all. I should like to have Moses, the Jew; Francis of Assisi, the Catholic; John Calvin, the Presbyterian; John Bunyan, the Baptist; John Wesley, the Methodist, and the other leaders of great denominational movements which have marked the progress of Christianity. The great window of the church will be right in front of the congregation. It will be the key to all and will represent Jesus as saying, 'One is your father and all ye are brethren.'"

A splendid idea. Why should churches fundamentally agreed, make war upon each other?

DEFENSE SHOWS HAND IN GRAHAM SHOOTING CASE

(Continued from Page Three)

what he wanted with it. He said that neither Mr. Black nor Mr. Vick knew.

"Whenever you had dealings with anybody on the outside, you sent Pete."

"I've told you where I sent him." Going back to the Cherryholmes conversation Judge Martin asked if since had seen Dollins; he answered in the negative, saying he understood Todd had seen him.

"Did Dollins tell Todd that he wanted anything?"

"No."

"It was just friendship for you?"

"Yes."

The details of the supposed conversation with Cherryholmes about the masks, etc., were then gone over.

"You were to come with unloaded pistols?"

"Yes."

Brought Shells Along.

"Then why did you take eight loads?"

"I took the shell out of the barrel and put on the safety."

"But why did you take any loads?"

"I don't know why. I had no reason."

"You had no reason to believe you would have any fight? Nevertheless, you had eight loads in your pistol?"

"Yes."

"And you fired eight shots?"

"Yes."

He said his automatic was a 32; Pete and Pat had 38 automatics. He told how the party left his home, saying Todd had gone ahead to see Gatlin.

Todd said the night watchman was fired.

"Yes, sir."

"Did he report anyone else was fired?"

"No, sir."

The arrangements with Gatlin was that the latter was to be out of the way. He said the party waited for Todd, but Johnson and Lischke insisted it was getting late and they should go ahead.

"Did you leave Johnson to guard Lischke?"

"That wasn't the idea."

"How was Lischke armed?"

"He wasn't armed."

"How was Johnson armed?"

"I don't know. He then told of coming to the court house and hearing the guards inside and of firing the signal."

"They got up immediately and came out?"

"Yes, in a minute."

"They walked out in the light?"

"Yes, in a minute."

"You men were in the corner in the dark?"

Witness said he was at the clery house, the others ten or twelve feet from the court house.

Cherryholmes Shot First.

He said Cherryholmes shot after he himself had said "put your hands up," he said. He said Cherryholmes shot first and he thought Carlton fired first from his side.

"Did Riley Dollins shoot at first?"

"I didn't see him shoot at all. The last I saw of him before he started running he was crouching with his gun in the air." He said he did not remember hearing the shot gun. He was not sure, he added, that it was Riley he saw running.

He started shooting himself as soon as he could get his gun ready.

"Did you shoot at Cherryholmes?"

"Yes, I guess I did."

"Don't you know you did?"

"Yes."

"You say you didn't know Riley Dollins had a gun until afterwards?"

"Yes."

"Did you testify that you saw him hold it up in the air?"

"I didn't know he had a gun."

He said after the shooting Pete was the first to reach Carlton, that Pete shot up without assistance and that Pete shot after he fell; he was not sure that Pat did.

"When did these boys load their guns?"

"They were already loaded."

24 Loaded Shells.

He said the automatics were without shells in the barrel; he did not know if the magazines were loaded.

"If you each had magazines full,

there were 24 shots?"

"Yes."

He declared that he did not know what became of the pistols after the shooting; he never saw his or the others after he put his and Pete's on the dresser at home.

"Didn't you hide your gun?"

"I did not."

"You don't know where it is?"

"I do not."

He said only one of the masks was in their possession when they reached home. He was reasonably sure, but not positive that their masks were those offered in court.

Judge Fry did not know why he and Pete and Carlton took the direction they did after the shooting.

He said they went over the fence because it was about as easy as to go through the gate.

"And lifted Pat Carlton over, too?"

"Yes." He said they went as fast as they could.

"Isn't it a fact that Todd and Lischke were with you until you got over the fence?"

"No."

"Didn't they leave you there and go to the Belmont Hotel?"

"No. If there was anybody else there it was somebody I knew nothing about."

Went For Shotgun.

He said he believed that the man who went down on the other side of the street was Lischke, that he saw Lischke later at his house. Judge Fry said Carlton was unable to go any farther when they reached the church and he and Pete left him there because they thought they heard footsteps. It was his idea to get his shotgun and go back after Carlton. He said Carlton was doubled up, about to fall, when they found him at the door. The doctor was sent for, said the witness, he himself remaining in his bedroom.

Judge Martin referred back to Judge Fry's intentions and asked him if he didn't know he was violating the law.

"I didn't so understand it."

Judge Martin recounted the conditions under which the visit of the court house was made and asked the witness if he did not know he was violating the law. The defense objected that it was a question of law, that it was not against the law for a man to go into a vault with the consent of the man in charge of it. The objection was overruled.

"Didn't you know that to go there in the way you went was a violation of Texas laws?"

"I didn't so understand it."

"You knew it was against the law to carry a pistol?"

"Yes."

"And the others violated the law?"

Defense attorneys objected and were sustained but took a bill of exception to the question.

"You knew the grand jury was to meet within a week?"

"Yes."

"You knew you would have a right to go before the grand jury?"

"Yes."

Newcastle Grand Jury.

"And would have the right to see the papers there?"

"Yes, but I didn't have time and I wanted to see the papers and try to keep a Newcastle grand jury from indicting me. There were at least four or five Newcastle men to be on it, I thought."

Witness said he knew he would have time to prepare his defense.

"You had at least ten days to sound the witness whose names were shown in the complaints?"

"Yes, we believed at the time we had located three of the five or six parties."

A question as to the number of indictments was objected to and objection sustained.

"Who told you Judge Akin would be unfair to you because of his relations to Stinson?"

"I was warned by Charles Gay, Dr. Terrell and A. B. Edleman that he was too close to the other side, to look out for him."

"Judge Akin has been your friend?"

"Always."

He said he was sure, however, Judge Akin would try the case fairly.

Judge Fry said he never paid Lischke himself and did not know what became of the money.

"Tell why, if the arrangement had been made between you and these guards why it was necessary to take so many with you."

To Look Like Real.

Cherryholmes said the hold-up must look as real as possible. Lischke and I were to go inside while the others held the guards."

"Who was to be the lookout?"

"Johnson."

"What was Todd's part?"

"He was to see the watchman."

"Why was it necessary for Johnson to be disguised?"

"I don't know. I told him it was necessary."

"Did you send Pete to buy some shells?"

"No, I didn't."

"Did you know he borrowed a pistol?"

"Did Lischke have a kit of tools?"

"He had a grip. I don't know what was in it."

"Did he carry it to the court house?"

"No."

Cross Examination Ends.

He said Lischke said he would open the vault by the feeling and sound of the combination.

The State here ended its cross examination.

Judge Taylor asked the witness if in his study of law he found any law authorizing a county judge to lock public records in a vault.

He also asked if he knew of any law that permitted the withholding of records from an accused man. Objections by the State were sustained.

Judge Fry testified that he had been told in Graham that Judge Stinson said he had been advised by Martin and Kay to let no one see the records.

He said that when they went to Newcastle they went first to O. H. Brown's house. There were no other questions.

Frank Burkett Testifies.

Frank Burkett was the next witness. He was county treasurer of Young county for six years. He said

he talked with Fry after the latter's return from Austin. He said the judge wanted him to forget a question he was about to ask him and he said he would ask later Fry asked him about the safe in the court house.

"The first asked you, if you would forget it?" asked Judge Martin.

"Yes."

"And you told him not to do anything to put you in an embarrassing position?"

"Yes."

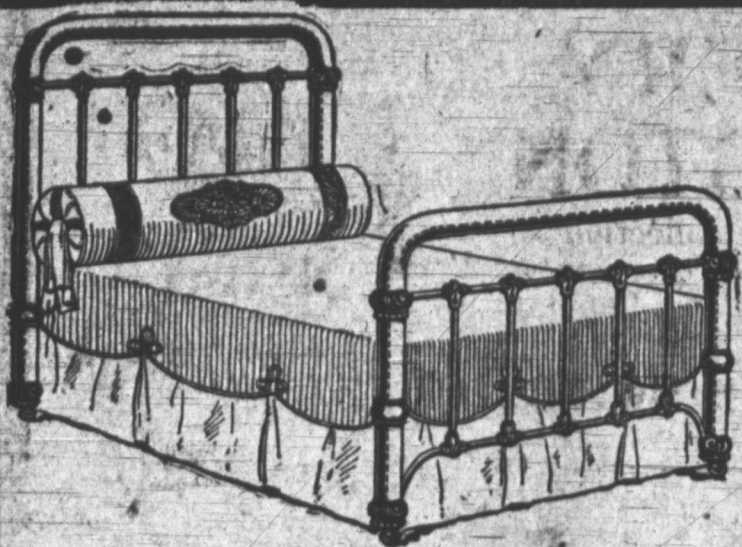
Burkett said he was not with Judge Miller in Fry's office nor was he with Fry when the latter tried to see the records.

R. M. Todd Testifies.

R. M. Todd was sworn and took the stand. He said he was 34 years old, born in Woods county and was raised in Stephens county near Breckenridge where he farmed. He moved from Breckenridge to Young county. He said he was married and had two children.

Todd said that he did not think Cherryholmes or Johnson ever arrested him. He said he paid a fine on a poker game charge but that he was acquitted in bootlegging cases against him.

The early part of this year he said he was looking after his farm where he was sowing oats. He and Cherryholmes had always been friendly and he also considered Ed Johnson a close friend. He said he and O. H. Brown were together a great deal, close friends, while Brown was sheriff. Riley Dollins five or six years, being well acquainted and friendly with him, "close friends," he said. Todd said he considered Fry a close friend and had helped elect Fry to office. He said he worked to help elect Brown as sheriff in 1913



3 inch, post steel bed set of eight slats given free, finished white and gold. \$1 down \$1.50 week.

\$7.50 value for \$3.25

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TREMENDOUS

Buying power we under buy and undersell all competition. High class, low price.

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\$20.00 kind for \$15.00 Others \$3.00 up.

We guarantee every pound of cotton in this mattress to be white long staple cotton. Guaranteed for twenty years. Use it for 30 nights if not satisfied return same. Tufted or non tufted. \$1 down and \$1 week.

Local News Brevities

A marriage license was issued today to Fred Daume and Miss Lydia Nitschke of Holliday.

\$1.25 and \$1.50 shirts for 77c, at the \$10,000 Shoe Sale on Eighth street. See window. 88 ttc

Special For sale, our complete stock of trunks, leather suit cases and traveling bags at 25 per cent off. Art Loan & Jewelry Co. 705 Ohio Avenue. 79 ttc

\$1.25 and \$1.50 shirts for 77c, at the \$10,000 Shoe Sale on Eighth street. See window. 88 ttc

Notice To the Sons of Confederate Veterans: You are hereby commanded to meet at our Reunion Ground one mile south of Holliday, Archer County, Texas, on Saturday, May 1st, 1915, for the purpose of making necessary arrangements for the holding of our annual reunion at that place. C. H. Goodwin, Adjutant.

Mr. E. S. Easton has purchased a

1915 model 6-40 Hudson from Schnell & Weaver. He expects to make an extended trip covering a period of several weeks through the country for the benefit of Mrs. Easton's health.

Automobiles Registered A. G. Deatherage, Wichita Falls, Buick, 1207.

J. V. C. T. Christensen, Wichita Falls, Buick, 1208.

W. J. Schultz, Burkburnett, Ford, 1209.

J. T. Bogel, Burkburnett, Ford, 1210.

J. D. Cooper, Wichita Falls, Overland, 1211.

J. L. McConkey, Wichita Falls, Buick, 1212.

Wichita Falls Undertaking Co., Ford 1213.

O. F. Shubert, Wichita Falls, Ford, 1214.

R. G. Wilson, Electra, Ford, 1215.

J. L. Parker, Electra, Ford, 1216.

T. J. May, Electra, Ford, 1217.

E. S. Easton, Wichita Falls, Hudson, 1218.

W. E. Baker, Wichita Falls, Ford, 1219.

A. E. Anderson, Wichita Falls, Ford, 1220.

Dr. Frotho, dentist, Ward Bldg. 60 ttc

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Because We Need It
Your Business is Appreciated
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Model Grocery

Phones 1551-1531

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Let us send and get that suit you need cleaned and pressed. We will give you the very best of work that can be done which no doubt you have not been getting.

Suits cleaned and pressed 75c

Palm Beach Suits cleaned and pressed 65c

Ladies' Suits cleaned and pressed 75c

Work called for and delivered promptly. Satisfaction must be yours.

Union Cleaning And Dye Works

Phone 1884 722 Ohio Union Shop

WE WANT YOUR BUSINESS

Service Cars & Cylinders. If you want a nice car call Cagle Auto Co. Phone 248. 83 ttc

Woman's Exchange moved to Wichita Falls, 804-8 Ohio, carry good line of threads; also "Hygiene" toilet goods and pure food products. Nice home cooking. 84 ttc

\$3.00, \$4.00 and \$4.50 straw hats for \$1.50 at the \$10,000 Shoe Sale on 8th street. See window. 88 ttc

Notice Notary Publics We will make your bonds for two years for \$2. No red tape. Just phone us. Anderson & Patterson, phone 87. 84 ttc

MOTHERS CLUBS DELEGATES TO LEAVE TONIGHT

Mrs. J. P. Donaldson of the Sam Houston School, Mrs. J. W. Lee of the Austin School, Mrs. E. W. Carter and Mrs. C. W. Snider of the Alamo School will leave tonight for Fort Worth where they will join the Fort Worth delegates in the special car to go to the district convention of the Mothers Congress at Stephenville.

Chaplin at the Gem See Chaplin in "The Tramp" at the Gem tonight. Run the first time in Port Worth yesterday. 88 ttc

E. G. Hill, undertaker, office and parlors 900 Scott Ave. Phone 228. Prompt ambulance service. 92 ttc

\$3.00, \$4.00 and \$4.50 straw hats for \$1.50 at the \$10,000 Shoe Sale on 8th street. See window. 88 ttc

Camp No. 3901, Woodmen of the World, will have a special program at the meeting to be held tonight and following the initiatory work will enjoy a smoker. The initiations will be held at the degree lodge under the leadership of Capt. J. H. Moore. The Commandant announces that he has a surprise in store for those who attend and the members of both the local camps, as well as all visiting Woodmen are invited to be present.

The ladies of the Christian Church will give a sale of toilet articles, including face-powders, Rogers cold-bleaching and massage cream, flavoring extracts, Weaverville perfume, many other things of interest to housekeepers. If you are not beautiful call and be made so. Stampful call stand. Sale begins Thursday morning. 87 ttc

Service Cars. Hupmobile service cars at all hours. Schnell & Weaver, Automobile Co. 614 Ohio. Phone 740. 82 ttc

The Rentrow Big Stock Company opened their week's engagement here last night, showing in their big tent at the corner of Thirteenth and Indiana (Continued from Page Three)

one of their strongest bills. A large crowd was in attendance and the company made quite a hit. Tonight "In Arizona" will be the attraction and Thursday evening "The Girl of the Golden West" has been billed.

\$3.00, \$4.00 and \$4.50 straw hats for \$1.50 at the \$10,000 Shoe Sale on 8th street. See window. 88 ttc

Wichita Falls Undertaking Co. 513 Scott avenue. Phone 202. Prompt ambulance service. Command us. 92 ttc

Dr. R. A. Waller, dentist, room 207, C & K Bldg. Phone 836. 88 ttc

Mrs. Simmons, dressmaker, 1205 Lamar. Phone 1593. 84 ttc

Chaplin at the Gem See Chaplin in "The Tramp" at the Gem tonight. Run the first time in Port Worth yesterday. 88 ttc

Dr. R. M. Kearby, dentist, Phone 354. 710 1/2 Indiana. 82 ttc

Doctors Hartsook & Stripling EYE, EAR, NOSE AND THROAT 222 Kemp & Kell Bldg.

Notice of Dissolution.

Notice is hereby given that the partnership heretofore existing between J. R. Ziegler and J. E. Lee of Wichita Falls, Texas, under the firm name of Ziegler-Lee Sheet Metal Co. is this the 12th day of April, 1915 dissolved by mutual consent.

J. R. ZIEGLER. J. E. LEE.

The business will be continued at Wichita Falls by J. R. Ziegler, who is authorized to settle all affairs of said firm. 87 ttc

Old safety razor blades made new. Shinedge razor man, 810 Ohio. 87 ttc

Notice. Our optical department is now complete. We are prepared to furnish you anything you may need in the optical line. Your old glasses repaired for small cost. Competent optician in charge. Eyes tested free. Art Loan & Jewelry Co. 705 Ohio avenue. 71 ttc

J. L. McConkey has treated himself and family to a new Buick automobile.

Chaplin at the Gem See Chaplin in "The Tramp" at the Gem tonight. Run the first time in Port Worth yesterday. 88 ttc

Mrs. C. E. Pruitt of Archer City came over today and purchased a Model C-25 Buick motor car in which she drove back home in.

Schnell & Weaver are expecting daily another car load of Hudson cars.

In the county court yesterday afternoon in the case of Joe Lacroix vs. F. D. Woodruff, being a suit on alleged account for labor, was tried a verdict being rendered in favor of the defendant.

Read our program for today in this issue. Lydia Margaret Theatre. 88 ttc

Seven passenger service cars at all hours. Schnell & Weaver, 614 Ohio, phone 740. 88 ttc

Automobiles for Sale Five passenger Reo, practically good as new; five passenger Hupmobile in fine shape; two passenger Reo C. H., excellent condition; seven passenger Speedwell, cost \$3,000 new, can be bought at a bargain. Schnell & Weaver Automobile Co., 614 Ohio, phone 740. 88 ttc

There were three cases in the city court this morning, two of which were for drunkenness, while the third party was arraigned on a charge of speeding an automobile on Indiana avenue. A fine of \$10 was assessed against one of the defendants charged with being drunk while the other was more fortunate and was let off with \$5. The party charged with speeding was fined \$5.

If you miss the country store tonight, that's your fault. We say come. Lydia Margaret Theatre. 88 ttc

Fi-Fi High School Play Delighted Large Audience

Quite the most elaborate and imposing of any amateur production staged in this city, "Fi-Fi of the Toy Shop," a musical extravaganza, was put on at the Wichita Theatre Tuesday evening by the high school seniors assisted by other students of the school. The play has been personally supervised by P. W. Westerman of Chicago, who also took one of the leading characters. The plot is a beautiful one and the way in which each of the characters played their parts was much appreciated by the large audience. The soloists were Misses Helen Hines and Rubie Bachman, Ralph Pond, J. L. Jackson, Jr., and P. W. Westerman, and the various song numbers were given in a pleasing manner, the "Milky Way" special by Miss Hines and Mr. Jackson being a feature with the Bo-Peep numbers by Miss Rubie Bachman and chorus. Seniors taking leading parts were Alice Fraser, Thelma Kahn, Helen Hines, Rubie Bachman, Ruth Elliot, Mary Herron, Ruby Moore.

Dated Inspector.

From a backwoods town where a new post office had been established there came complaints that mail was not being sent as promptly as it should be, and an inspector went to the town to investigate. He told the postmaster of the complaint. The postmaster pointed at a mail bag about one-fourth full and said:

"Wal, I send the mail out ev'ry time I git the bag full. You don't expect me to send it out when it ain't got more'n a dozen letters in it, do you? Soon as I git that bag full I'll send it out all right. Lreckon that will be within a week or so, the way letters air comin' in now!"

Dates in California. Date growing is rapidly becoming one of the most promising fruit industries of California, so it is stated in the annual report of the United States bureau of plant industry recently prepared for public distribution. Nearly twenty thousand date offshoots were imported from the old world zones by private growers in the Imperial and Coachella valleys of California during last year. Many of the palms from earlier importations are now bearing fruit.

Wheat Purchase by Sweden. The Swedish government has decided to purchase 120,000 tons of wheat as a reserve in case of lack of food products. This quantity is considered sufficient to last two months and the cost is estimated at \$4,000,000, of which amount \$1,875,000 has been placed at the disposition of a purchasing commission during December, while the balance of the necessary funds are to be obtained in January and February.

Miniature Dreadnaught. A Massachusetts man has built a miniature dreadnaught 13 feet in length, which has all the features of a real battleship, including guns that fire, range finders, wireless instruments, gunners, and even a band that plays martial music. The vessel is propelled by electricity, can make ten miles an hour in smooth water and cost its constructor \$15,000.—The Outlook.

Ireland's Wheat Yield. Consul Hunter Sharp writes from Belfast that the yield of wheat in Ireland in 1914 was 758,154 hundredweight; of oats, 18,081,961 hundredweight; of barley, 3,460,018 hundredweight, a British hundredweight being 112 pounds.

CHARLIE CHAPLIN

AT Gem Theatre

TODAY

THE TRAMP

TWO PARTS

TOMORROW

A Little Band of Gold

Two part special Keystone Comedy with Ford Sterling, Mabel Normand and Fatty. This is the first picture Sterling is in since getting back with the Master Comedy director of the world. He is said by critics to be funnier than ever known to be before.

The Decison

A Flying "A" touching drama in two parts with Ed Coxen and Winnifred Greenwood supported by strong American cast.

The Adventures of Florence

Morris Foster and Florence LaBadie are the principals in this thrilling story and the latter maintains her reputation for cleverness that will be admired by her many admirers.

As we have stated before, our program has been wonderfully strengthened and invite our friends, and the lovers of QUALITY pictures, to see this program and you will feel like thanking us for the privilege.

5c EMPRESS 10c

ALASKA TO VOTE ON LIQUOR ISSUE IN 1916

By Associated Press. Juneau, Alaska, April 14.—Gov. J. F. Strong yesterday signed the bill providing for submitting the question of prohibition to the voters November 4, 1916.

REPORT OF EXECUTION PRISONERS CONFIRMED

State Department Advises Confirm Reports Villa Defeat and Executions

By Associated Press. Washington, April 14.—The State department is advised in a report dated the 13th from Laredo that the battle of Zuitachito on the 12th resulted in a severe defeat for the Villa forces. Advises confirm the public report that the Villa wounded were killed on the battlefield and that prisoners were executed. The loss of the Villa troops is said to be 400.

Tonight is another big country store at the Lydia Margaret theatre. 88 ttc

Owing to the meeting of the Northwest Texas Teachers Association to be held at the high school Thursday the High School Improvement Association will not meet, the meeting having been postponed for a month.

See the Girl Detective make an arrest at the Lydia Margaret tonight. 88 ttc

1:30 P. M.
City Ball Park

District Track Meet Saturday

1:30 P. M.
City Ball Park

Towns Represented: Gainesville, Bowie, Nocona, Burkburnett, Jacksboro, Graham, Archer City, Vernon, Paducah, Wichita Falls and Other Points

BASEBALL, 4:30 P. M., GAINESVILLE vs. WICHITA FALLS

Greatest Array of Athletics Ever Seen in Wichita Falls Admission to All 25c

Personal Mention

O. F. Marchman is in the city from Dallas today.

John Strine is among those from Olney here this week.

W. P. McLarty was here from Seymour on business today.

G. E. Whiteside of Seymour was in the city on business today.

C. D. Teutsch of Waxahachie is a business visitor here today.

Mrs. J. C. DeLong and daughter of Electra were visitors to the city today.

Judge J. H. Barwise, Jr. of Fort Worth, was here on legal business today.

Tom J. Cole, a prominent banker of Waxahachie, is in the city today on business.

J. A. Maddox, representing the Dallas News, is a business visitor to the city today.

Miss McCoy, L. L. Logan and E. Colgan of Megargal, were among the visitors to the city last evening.

Dr. R. A. Duncan, who was here at the doctors' district meeting, returned to his home at Graham this afternoon.

Dr. J. S. Michie of Childress, is here attending the meetings of the Northwest Texas Medical Association.

Dr. C. F. Young of Bowie is among the visiting physicians at the meeting of the Northwest Texas Medical Association.

Dr. J. M. Ballew of Memphis, Texas, is in attendance at the meeting of the Northwest Texas Medical Association.

Miss Emma Heyser of Putnam, Tex., who has been spending the winter in Florida, is here for a short visit with her brother, Attorney F. Heyser.

L. F. Webb who went to Rochester, Minn., several weeks ago for an operation on his throat, is reported getting along nicely and will likely be home next week.

DR. J. W. DuVAL
SPECIALIST
Eyes, Ear, Nose, Throat.
GLASSES FITTED.

Are You a Woman?
Take Cardui
The Woman's Tonic
FOR SALE AT ALL DRUGGISTS

LYDIA MARGARET

Dunlay & Merrill
Musical comedy favorites.

Ezra Kendall, Jr.
The messenger and the actress.

Photoplays
"The Mystery of the Ten Dancers," an episode of "The Girl Detective Series," featuring Cleo Ridgely and Ruth Roland, in two parts.
"A Coat's a Coat"—A Nestor comedy with Victoria Fords and Eddie Lyons.
This is Country Store Night. No advance in prices 10c and 15c.

AT NOON

At night and all the time we serve light lunch at our soda fountain.

Morris' Chili 10c

MORRIS DRUG STORE
Drugs & Jewelry

Our service is better

Phone 8 and 748
Free Delivery

WE SELL
Beich's
CHOCOLATES
The Miller Drug Store

Dr. Monte R. Garrison
DENTIST
Office First National Bank Building
Phone 48.

A Guarantee of our Ability to Please is Attested to by the Amount of Business We Do.

If we were not master workers in the craft of tailoring we could not hope to retain the host of satisfied customers who patronize us every week in the year. There is a difference as sure as you live. There is a satisfaction in knowing that when you send your work to a shop that it is in the hands of responsible workmen, who know exactly what to do with it. There is no wondering whether or not they will injure or ruin a costly garment. Phone us your wants and forget it. The work will be done right, the garments returned promptly and satisfaction guaranteed.

I am Supton Tailor
I'll see that you're satisfied

Suits Cleaned and Pressed One Dollar
Phone 1067 Union Shop
Our Automobile will pass your home today.

SHADOWS

The shadows of yesterday have been kissed away by the sunshine of today, likewise the smile of today may turn to tears on the morrow. This is life, yet the stronger characters, shrink not from the shadows, neither do they grope in the darkness of the gathering gloom, but look afar and beyond.

There may be consolation in silent grief, so much so as there is sweetness in laughter of little children, but, to sit idly and contemplate either tends to neglect.

Duty prompts one to the accomplishment of something that brings its reward, and the greatest reward is the knowledge of having done our full duty. When the shadow of weariness lids the eyelids of a loved one into that last sleep let consolation bring its reward to you by doing your full duty towards them.

We will help you.

WICHITA MARBLE & GRANITE WORKS
A. G. DEATHERAGE, Prop.
The Home Dealer
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Quinine and Sage Hair Tonic
Soothing to the scalp.
Price 50c
Palace Drug Store
Only the Best

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Morris Cab and Transfer
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for handling passengers, baggage, freight, Furniture and Pianos
Quick service and best of care.

Don't Take Life TOO SERIOUSLY

But be sure to have your prescriptions filled at the Palace Drug Store. Special attention given this department of our business every day in the year.

"Connect your Home with a Reliable Drug Store"

PALACE DRUG STORE

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Only the Best

Motorcycle Delivery

Just Received

Large shipment of Preserved Minnows, Frogs, Salmon Eggs and Crawfish Fish Bait. Live Minnows at all times.

Wilfong & Woods.
EVERYTHING FOR THE OFFICE

Phone No. 10

GEM THEATRE

TODAY

The Regenerating Love—3 Part Drama.

Cast of Characters
Belle (dance-hall singer) Ormi Hawley
Mr. Hayuen (her partner) Earl Metcalfe
Bob Davison Kempton Greene
Ethel Davison Justina Huff
Mrs. Davison Eleanor Barry
Mr. Davison Herbert Portier

Charlie Chaplin in "The Tramp"—Two-part Es-sanay Comedy.

MAJESTIC THEATRE

THE MASTER KEY
A HOUSE OF QUALITY

No.

14

OF

THE MASTER KEY

TODAY

THE BLACK BOX

Stop, Look, Listen for

May Cosmopolitan
in today

Mack Taylor Drug
Store

DIKES

Aromatic castor oil, just the thing for the little ones when they have sick spells. Tasteless. Easy to take.

Palace Drug Store

"Only the Best"

The Rotospeed
\$27.50

A machine for producing facsimile copies of anything of printing, drawing or writing done with pen, pencil or typewriter in quantities at a cost of only 20c per thousand copies.

YOUR OFFICE BOY CAN OPERATE IT
The Rotospeed is built on modern mechanical lines with exclusive features that make it rapid, accurate and easy to operate. If interested phone or call and our representative will be glad to demonstrate how this machine will prove a money, time and labor saver for you.

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If you are hard to fit let us take your measure. We guarantee to fit you.

Collier Tailoring Co.

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717 - 7th Phone 732



Getting a line on his curves

MACK TAYLOR'S OLIVE SHAMPOO

This Olive Shampoo is cleansing, soothing and nourishing, and the perfect blending of the ingredients make it not only a perfect hair cleanser, but also a means of keeping the scalp in perfect condition to perform its proper functions. Baldness is more often due to neglect of the hair and scalp than any other cause. You can stop your hair from falling out by taking an Olive Shampoo every few days. Young people with good hair should get the Olive Shampoo habit and they will not be annoyed by baldness in later years. Prepared in our own laboratory.

Price 25c

MACK TAYLOR'S COCOA COLD CREAM

A velvety cream of fascinating texture. Massages perfectly into the skin. Has the faint, elusive sweetness of the half forgotten, half remembered "long ago." Every woman desires that pleasing complexion that carries with it an appeal to the admiration of her associates and friends, and nothing will contribute more to the desired condition than the use of this preparation. Once given a trial you will use no other, for you will be delighted with the result to such an extent that you will not only purchase but recommend it to your friends. Made in our own laboratories.

Price 25c and 50c

MACK TAYLOR'S HAIR TONIC

In connection with our Olive Shampoo, you will find it very beneficial to use Mack Taylor's Hair Tonic, a preparation without an equal on the market for the preservation of the hair and for restoring to it a new life and healthful condition. Prepared from ingredients that are prescribed and recommended by physicians everywhere, it possesses a quality found in no other tonic sold today. Its merits have already been demonstrated and a trial is all that is needed to convince you. Put up in our own laboratory in Wichita Falls.

Price 50c

MACK TAYLOR'S LIQUID FACE POWDER AND BLEACH

Can be used with gratifying success in connection with our Cocoa Cold Cream. So delicately fragrant that it merely suggests in the most alluring fashion the big, beautiful, heavily laden flowers swaying to and fro in the May wind. Dainty and fine and absolutely pure. It is made fresh and in our own laboratory and loses neither its splendid qualities or pleasing fragrance from long bottling. Used once you will accept no other.

Price 25c and 50c

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