

SUPERIOR COURT NOW IN SESSION

One Week Term For the Trial of Civil Cases Convened Yesterday Morning.

Yesterday morning a one week term of Craven County Superior Court for the trial of civil cases convened in this city with Judge Garland S. Ferguson of Wayneville, presiding.

After the jury had been drawn the first case called was that of Jenkins vs. Jenkins. In this case the plaintiff is suing for the recovery of a piece of land. Counsel for the defendant asked the court to continue the case until the next term of court on account of the inability of his client to be present.

The next case called was that of Depe, administrator, vs. A. C. L. R. R. Company. In this case there are a number of attorneys on both sides and also a number of witnesses, and the remainder of the day session was consumed in hearing the evidence in the case.

There twenty-six cases on the docket for this term and a large number of motions. The following cases are on the docket for today:

Smith vs. Pollock; Kimball vs. White, Moore vs. A. C. L. R. R. Co., Gaskins vs. Hancock, Adams, Admx. vs. Hill.

Ladies, would you have your rooms look clean, cozy and cool? Then try B. P. S. Flat Wall Finish, phone or write us for color cards. J. S. Basnight Hdw. Co. 67 S. Front St., Phone 99.

Dr. Graham Faulkner's Condition.

A telegram received yesterday afternoon by Dr. Raymond Pollock from Dr. Stuart McGuire of Richmond, Va., who had just performed an operation on Dr. Graham Faulkner, of Dover, stating that the spinal cord was not crushed; prognosis doubtful but better than expected. Dr. Faulkner is the young man who suffered apparent paralysis last week by diving out of a boat on the river near Maple Cypress. His head striking the bottom of the river he was stricken with what was supposed to be paralysis. He was rescued by his companions and hurriedly taken to Dover en route to Goldsboro. Later he was carried to the hospital for surgical treatment.

Love of Trees.

We find our most soothing companionship in trees among which we have lived, some of which we ourselves may have planted. We lean against them; and they never betray our trust, they shield us from the sun and from the rain, their spring welcome is a new birth which never loses its freshness. They lay their beautiful robes at our feet in autumn; in winter they stand and wait, emblems of patience and of truth; for they hide nothing, not even the little leaf buds which hint to us of hope, the last emblem in their triple symbolism.—Dr. O. W. Holmes.

Above the Vulgar Cars.

Until 1870 it was against the law and sacred custom for any subject to look at the emperor of Japan. His political advisers and attendants saw only his back. When he first left the palace the shutters of all the houses had to be drawn, and no one was permitted in the streets. Even today, when the emperor has the privilege of driving through the streets like one of his subjects, it is not considered quite proper to cast a glance at him.

Experience.

"Experience is the best teacher," quoted the wise guy. "Yes, but her charges are mighty high," added the simple man.—Philadelphia Record.

Opening of the Athens.

New Bern turned out in full force at the new vaudeville theatre last night. The seven hundred seats were all filled when the gorgeous new curtain went up for the first time, and a couple of hundred people were standing wherever there was room to stand both on the main floor and balcony.

The orchestra gave an introductory program while the audience was admiring the "Ben Hur" drop curtain and the general features of the interior. Everything was in fine order, as a result of unceasing work of the last days of preparation. The fine stage scenery and furnishings were much admired and every thing went along smoothly.

Those who have worked hard for a successful opening looked pleased. Architect H. W. Simpson was pleased with the public approbation of the play house, and the Lamson, Lovick and Taylor smilingly took in the big crowd. Beautiful, fire proof and sanitary. The theatre is a feature of the city. There will be a daily change of program and high class performances assured.

SECOND NIAGARA IN GEORGIA

South's Largest Power Plant At Ocmulgee River Dam.

Jackson, Ga., April 11.—What the great Roosevelt dam is to the West, the Niagara power plant to the region around the Great Lakes, the Ocmulgee river dam, eight miles from Jackson, is to Georgia and the South.

This immense power plant has recently been completed after more than two years of work, during which time a large force of hands has been kept busy night and day.

This is the largest power plant of the kind in the South, though the Tallulah Falls development will be larger when it is completed.

One of the uses for the power will be for running the Atlanta-to-Macon, Macon-to-Albany interurban line. This line is an assured fact, and, without some unforeseen hitch, dirt will be broken on the line within the next 60 or 90 days. It will be one of the longest lines of the kind in the South, and will open up one of the richest sections of the State, piercing Middle Georgia for a distance of well over a hundred miles. The electric current from the Ocmulgee dam will be used in operating the system.

Primary at Bridgeton.

The following is the result at the Bridgeton primary held yesterday, nominating a mayor, four aldermen, chief of police. E. J. Bayl's, for mayor had no opposition.

- ALDERMEN: H. M. Bunting 44, G. A. Gaskins 44, O. J. Rock 43, C. A. Ryan 37, H. W. Barrington 9, S. B. Williams 4

- CHIEF POLICE: T. W. Moore 27, F. S. Corbett 12, McDuff Lathinghouse 10

CONVENTIONS IN MUSIC.

Rules Which Song Composers Seem to Feel They Must Follow.

Why is it that all our musicians in writing a national song invariably use a portion of the best known chorale as the introduction, "ramp," or counter-melody? Why do the open fifths in the bass always appear in rustic songs? Because it can't be helped, it seems. Our popular Irish songs always have a bar or two of a well known old Irish melody or a drone bass, otherwise they wouldn't be Irish. The exhausted old Turkey and his partner, the straw, come to the rescue of every "rube" song or dance that is perpetrated, and our national airs must run all through the accompaniment of patriotic songs to give them "flavor."

Because all of these things are "set" they are conventions. Why must every song end on the tonic note, with the preceding tone either the second or seventh of the scale, unless we expect the detestable third or the hollow fifth? Because our audiences expect it.

Should one of your composers in a moment of bravery or recklessness produce a score in which he disregards these many conventions his first night hearers would go away remarking that the music was crazy. They do not realize that they expect to hear the same old thing, served up a trifle differently, of course, but still the same.—From "Where Have I Heard That Tune Before?" in Metropolitan Magazine.

The Woman Question.

Tommy—Pat, 'tis well, what is it now? Tommy—What's the woman question? Pat—Did you mail that letter?—Toledo Blade.

Shipping Items.

The schooner Bobemia, Capt. Edward Cault from Rappahannock, Va., arrived yesterday with a cargo of corn for J. A. Meadows, and will load lumber at the Pine Lumber Co., for Chesapeake City, Md.

The schooner Ida G. Farren, Capt. Gaskins, has arrived from Norfolk loaded with corn for the Elm City Lumber Co.

Storing Oxygen in the Blood.

Professional divers, who remain under water from two to five minutes at a time, are accustomed before submerging themselves to take deep inspirations for ten minutes. The object is said to be to store up oxygen, not in the lung cells, but in the blood corpuscles. This renders a temporary suspension of the breathing possible by supplying the corpuscles with an extra quantity of oxygen, to be exchanged chemically with the carbonic acid, produced by vital processes, in the blood.

One For the Girl.

"Girls make me tired," said the fresh young man. "They're always going to some of these paintists to have their hands red."

"Indeed!" said she sweetly. "Is that any worse than men going into saloons to get their noses red?"

WHY SANDERS FLED THE COURT

Relative of Frank Sanders Tells Why he Failed to Appear.

Special Correspondence.

Newport, N. C., April 12.—The fact that Frank Sanders fled the Federal court at New Bern last October has been news that has been broadcast over the State, his fleeing being regretted by his family, and most mercifully condemned by his interested enemies. Why he fled has never been explained, but if the facts were known and the public eye could penetrate the scenes enacted behind the curtain of the conspirators, the honest public sentiment would be changed to a sense, if not of approval, to at least one of a pardonable act.

Dating back to October, 1909, when Y. Z. Newberry, Mayor of Newport was murdered, a conspiracy was formed, its membership wholly confined to Newport, its object being to implicate and destroy both Jack and Frank Sanders. The ingenuity of the conspirators was crafty and deceitful. The public mind must be poisoned against these men, and the first act was a communication published in the News and Observer, pretending to have been written at Newport by one of its citizens as a special correspondent, but this communication was concocted and dictated by at least two of the conspirators—one not a resident of Newport.

This communication boldly charged that Jack Sanders did the shooting and was arrested on the spot with a gun in his hand and smoking. On trial it was proven by the oath of the sheriff of the county, that it was fully 17 hours after the murder that the arrest of Jack Sanders with his gun was made. But the purpose of the false article had been accomplished, and public sentiment ran high against the Sanders boys. They were arraigned and tried at once, and no mighty effort was ever made to convict. Yet, with public sentiment, poisoned and red hot against them the evidence was so conclusive in their favor, the twelve jurors, strangers and wholly unknown to the prisoners, took but a short deliberation to return their verdict "not guilty."

The same conspirators who plotted and labored to destroy Jack and Frank Sanders in October 1909, are actively at work against Frank Sanders today, and are resorting to the same vile means of attempting to poison the public mind, hoping their vengeance may be crowned with success, and Frank Sanders sent to the penitentiary. And going further in their hopes to destroy every influence that might bar their malicious plots, they have enlarged and broadened their charges and denunciations, to include the entire Sanders family. Both in the News and Observer and the Raleigh Daily Times communications have been sent with scurrilous articles against the entire Sanders family. Subtle, crafty, and unscrupulous, these conspirators fed with venom the pens of their correspondents through their special agency living in New Bern. It affords me and our families much gratification to receive assurances from the editors of the News and Observer and the Raleigh Daily Times that they do not share in the sentiment of the object-ed-to-communications and will so announce in their respective papers.

Yes, Frank Sanders fled the Federal court, but he will be at its next term at New Bern to meet the malicious indictment of his prosecutors. His bondsmen shall not suffer, and his Honor, Judge Conner, shall not have cause to share the base opinion his malicious prosecutors would have him do.

The history of the case is this: The culmination of the conspiracy resulted in a report that Frank Sanders on a certain day in October in 1909 at Newport, sold some one a drink of liquor—only one offense. He was arrested, handcuffed and taken up to New Bern directly before the court. As the case would not be tried that week, his lawyer asked his release under bond. Now comes the part that filled Frank's mind with astonishment and fear. He has several cases for trial at this term of the court for illicit distilling—distills had been captured, and the defendants had been bonded, some at \$200 and others not over \$250. For the charge of one minor offense of retailing he supposed his bond would be a small one, and especially as this was the first case he had ever had in this court.

The bond required was \$1000. He went back home, his mind filled with forebodings, restless and unable to solve the cause of the excessive bond. He began to drink heavily and on Sunday night attempted suicide by taking laudanum. His wife sent for him hurriedly saying Frank was at death's door and to come quickly. I went, but before I got to his home, he swam enough to stagger to his bunk, his wife remonstrating against his leaving home in such a condition, but he said he was under a \$1000 bond and must be in New Bern before court was called. He got there, heard something of the charges that had been made to the District Attorney, denouncing him

as a lawless brigand, and knowing the unscrupulous character of his prosecutors he pictured in his imagination that the excessive bond and rough arrest must be because of some heinous offense his malicious prosecutors had alleged against him and with his mind dazed with drink and drugs, and his nervous system shattered and prostrated, it is easily seen how he was excited into abnormal fear, and under these conditions impudently fled the court greatly to the regret of his family and friends.

"None of the family have ever been convicted of crime, and two of us were volunteers and served four years in the Confederate Army on the front. The public can well see the importance of this defence, to whom it is most respectfully submitted. J. W. SANDERS, M. D. Ocean, N. C.

Rheumatism Relieved in Six Hours

Dr. Detchon's relief for Rheumatism usually relieves severest cases in a few hours. Its action upon the system is remarkable and effective. It removes at once the cause and the disease quickly disappears. First dose greatly benefits. 75c and \$1.00. Sold by Bradham Drug Co.

VOICE OF THE PEOPLE.

AS TO CUSTODIAN.

Editor New Bern Journal: A few days ago you took the liberty to write an article in your paper criticizing our Collector of Customs at this port, who, by virtue of his office, is the custodian of the Federal building in New Bern.

In your criticism you seemed to overlook the fact that two plus two makes four. Let me ask you a simple question in mathematics: If it takes six days to do a certain piece of work, then what part of that work could be performed in three days? Or, if four persons have to work six days to perform a certain task, how can two people do the same amount of work in six days?

It occurs to me that after you have permitted the solution of these problems by your mind, it would be so more than fair and just to our present custodian, Mr. Patrick, that you retract some of the assertions you have made in the aforesaid article against our Mr. Patrick. But you say that Mr. Patrick's appointment should require at least a reasonable amount of his time in his official duty. To that I would reply, that you fail to give Mr. Patrick due credit for his own personal efforts and business. You do not seem to understand that Mr. Patrick lives in Greene county, about sixty miles from his office; you do not seem to know that he is a prosperous farmer, and one of the largest mule dealers in North Carolina. You seem to overlook the fact that a man must give his business the greater part of his attention in order to make it a success. Undoubtedly, you do not know that Mr. Patrick has to go home nearly every Friday and does not return for duty until, generally Tuesday morning. You seem to think that the office of our custodian should move along as smoothly as machinery without Mr. Patrick being present to give it the propelling power. But you say his deputy should be there if Mr. Patrick's business is of such a nature that he cannot give his office proper attention. Why, Mr. Editor, in the name of all reason, don't you have any respect for a man's feelings? Doesn't the Deputy live in Lenoir Co., (nearly as far from New Bern as Mr. Patrick), and don't you think the deputy should have as much time to spend in Lenoir with his folks as Mr. Patrick takes at his home? Are not these reasons sufficient to cause you to retract what you have said about our present custodian? If I am incorrect in my hypothesis, then I shall be only too pleased to bear your correction. Mr. Patrick is a candidate for re-election, and it may be possible that some of the time that has been spent away from his office has been spent in Washington City pleading his claims for re-appointment. If this be true, how can you blame him? You know that "self preservation is the first law of nature."

It will please a friend of Mr. Dan W. Patrick if you will retract the smart saying which appeared in your editorial columns a few days ago.

A FRIEND.

FORGOT HIS ORGAN.

So Filkins Had a Little Talk With the Customs Inspector.

Filkins had just returned from a six months' tour of the continent, and his trunks and boxes were numerous. With considerable anxious care he had prepared his declaration, but when he saw the eagle eyed inspector plunge into his work a wave of fear spread over him. Could he by any possibility have forgotten anything? And if so and it was brought to light would he have to suffer the pain and humiliation of arrest? Rapidly he ran over in his mind the dutiable objects that he remembered having heard that others had brought in—clothing, objects of art, books, bric-a-brac, jewels, musical instruments—ah, his heart stood still—musical instruments—pianos, violins, flutes, organs—

With beating heart he approached the inspector.

"Is there any duty on organs?" he asked in a trembling voice. "There is," said the inspector, fixing a cold, steady eye upon him. "Then," said Filkins, "I desire to withdraw my declaration for a moment."

"What for?" demanded the inspector. "I wish to amend it," said Filkins. "I've had my nose repaired and made over on the other side, and I'd hate to have that organ seized because I'd overlooked it."—Harper's Weekly.

Keep your dining room properly screened and your food will be more wholesome. We can supply you with the Screens. J. S. Basnight Hdw. Co.

PREPARING TO FLEE MEXICO

Way Laid Out For President to Escape To The Atlantic Coast.

Washington, April 12.—Confidential reports received at the War College from the United States Army officers in Mexico show that President Diaz has laid careful and complete plans to escape from his country.

Only two regiments remain in Mexico City. The other troops, which were stationed in the capital together with several additional picked regiments, have been detailed to a territory where there are practically no insurrectionists in such a manner that they form an avenue leading direct from Mexico City to the Atlantic coast.

It has become known that Mexico is literally honeycombed with confidential agents from the War Department. Many of them are army officers. Reports are made on every move of troops and the information is marked down on a huge map in the War College, pins with colored heads representing companies of regiments.

The latest move of President Diaz is chronicled with a line of pins leading direct from Mexico City to the Atlantic coast.

Beauty of color painting.

Nice shades of color like L. & M. Tuxedo Yellow or Silver Gray, and solid trim of Olive or Shaker Green, both ornament and wear, when used by adding 2 of a gallon of Oil to each gallon of the L. & M. colors as produced at Factory.

Then the paint costs only about \$1.60 per gallon because the user himself makes about half the paint used, and reduces cost by adding the Oil.

Thirty-five years use in N. A. & S. A. Longmae & Martinez, Manufacturers - The L. & M. Pure Paints, Varnishes and Paints for every purpose, for sale by—Gaskill Hdw. & Mill Supply Co., New Bern, N. C.

Rejected, He Attempts Suicide.

Yesterday afternoon a young white man named Edwards, who is employed by the Roper Lumber Company in this city, attempted to commit suicide by drinking a small bottle of bichloride of mercury. Fortunately for him his rash deed was discovered soon after it was committed and he was rushed to Stewart's sanitarium where medical aid was rendered him and a report from that institution last night stated that he was resting as well as could be expected under the circumstances.

From the few facts that could be learned in regards to the affair, it seems that Edwards had become enamored with a young lady of this city and after he had proposed marriage to her and had been rejected decided to shed off this mortal coil by the poison route and but for the fact that another of the employees of the company discovered that he had drunk the poison a few minutes after the act was committed, he would have doubtless succeeded.

A New York millionaire, who was sentenced to two years in Brussels was freed after 20 days imprisonment.

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ANOTHER CHECK FLASHER CAUGHT

Robert Smith, A Young White Man Bound Over to Superior Court Under Grave Charges.

That "the way of the transgressor is hard" was fittingly exemplified in the police court yesterday afternoon when probable cause was found against Robert Smith, a young white man charged with forging two checks, and he was bound over to the next term of Craven county Superior court under a bond of \$100.

Mr. L. M. Satterwaite, who conducts a grocery store on Griffith street was the first witness put on the stand. He said that on last Monday morning young Smith entered his store and after purchasing a number of articles tendered a check signed by E. H. and J. A. Meadows and made payable to Paul Darden. That the amount of the check was \$15 and that he deducted the price of the groceries purchased and gave the change to the defendant.

Yesterday morning the second check made its appearance. This time Mr. Ed. LeGallis who conducts the Riverside store was the victim. Mr. LeGallis stated that Smith came into his store and after purchasing a number of articles which he ordered delivered at a certain residence at a specified time, tendered a check for \$9, signed by the New Bern Iron Works and made payable to Paul Darden. At a time designated by the purchaser the goods were dispatched from the store but within a short while the delivery boy returned and informed him that the people living at the number given by the purchaser claimed not to know anything in regard to the purchase of the goods. Then it was that Mr. LeGallis began to investigate. The result was that he found that the check was forged and at once had a warrant sworn out for young Smith.

Smith was placed on the stand in his own behalf and said that he did not know anything about the checks and the gentleman who had testified that he received the money from them were mistaken as to his identity. The evidence was so strong however, that Mayor McCarthy found probable cause and bound the defendant over to the next term of court under a bond of \$100.

It was also shown during the trial that Smith had presented several orders on the city signed by the foreman of the Atlantic Steam Fire Company and had received the money for them. No action was taken in this matter.

PILES CURED IN 6 TO 14 DAYS

PAZO OINTMENT is guaranteed to cure any case of Itching, Blind, Bleeding or Protruding Piles in 6 to 14 days or money refunded. 50c.

BRIDGETON ITEMS.

Bridgeton, April 12.—We are having cool weather for April, we hope to see it warm up soon.

Miss Myrtle Lewis of Bellair was visiting in our town Sunday.

Mrs. O. H. Tingle and children are visiting relatives at Swansboro.

Miss Rowe of Askins is visiting relatives in our town.

Mr. Ashley Cambell of Askins is visiting relatives in our town.

Mr. John Wiley of Zarah is visiting his brother Mr. Jim Wiley on the corner of C. and Bridge streets.

Miss Leasha Rowe of Askins is visiting in our town.

Mr. M. F. Pugh who has been up to Seven Springs for his health, returned home last night.

Mr. Baker Potter of Vandamere is visiting in our town.

Our townsman Mr. W. H. Willis who is on the Cutter Pamlico, in Stewart's Sanitarium very sick, we hope he will soon recover.

We learn that our school committee has been appointed by the board of education, which are Rev. J. M. Wright, Mr. Isaac Lewis and Mr. Wm. A. Thomas. We think they gave us a very good committee.

Our primary election came off very quietly yesterday. E. J. Bayles for mayor, H. M. Bunting, G. A. Gaskins, O. J. Rock, C. A. Ryan for aldermen, and T. W. Moore for chief of police, was elected by majority of votes cast.

Rev. E. F. Bompas will preach in the Methodist Church Thursday night at 8 o'clock and will administer the sacrament, everybody is cordially invited to come out.

The Methodist Sunday School is practicing for an Easter entertainment, which will be given next Sunday night at 8 o'clock everybody is invited to come out and enjoy the program.

Rev. G. J. Rock will preach at the Methodist church next Sunday morning at 11 o'clock.

Mr. Willie Bond has returned from Wilmington.

GRAY EYES.

IMPORTANT COTTON SUIT DECISION

At Tarboro Before Judge Ward Was Gambling as to Farmers Non Delivery of Cotton.

Judge George W. Ward, presiding over the superior court at Tarboro, on Wednesday instructed the jury in the case of Rogers, McCabe & Co. vs. Furney Brock, that if they believed the evidence they should find for the defendant.

This was one of the famous cotton cases wherein it was alleged that the defendant had agreed to deliver a specified number of bales of cotton at a certain price and had failed to do so. The decision of the court was that the contract in effect was a dealing in future's, gambling, therefore illegal and void.

The defendant, Mr. Brock, is a large farmer and business man of Jones Co., and he is only one of quite a number against whom like suits have been brought. It was agreed among counsel in the several suits to make his a test case. So this decision will settle all the others.

Good Stoves cook good meals. Bucks are the Best. Call and see our line of Cooks and Ranges. J. S. Basnight Hdw. Co., 67 S. Front St., Phone 99.

Mayor of Roanoke to show cause why he should not be removed.

Death of R. W. Smith.

Died at his home near Rogue, N. C. March 30, 1811, R. W. Smith, in his 60th year. He was laid to rest in the cemetery near Vanceboro, his former home.

He leaves to mourn his departure an affectionate wife, 6 sons and 3 daughters, a brother and a host of relatives and friends. He was a kind and thoughtful husband, an indulgent father, a worthy citizen and an esteemed and popular neighbor.

As a Justice of the Peace his learnings was strongly on the mercy side of his cases and his tender and neighborly love was proverbial.

We shall miss him in the social circle and his warm greetings and kindly look that always gladdened our hearts, will be ours no more. At his happy home the vacant chair will freshen the sorrow of the loved ones there, and bring back to bleeding hearts the inestimable loss sustained.

The swift current of time will soon bear us to the end of our journey, and let us hope that the temporary separation we now endure may add to the joy of our final greeting on the other shore.

His friend, J. W. SANDERS, Ocean, N. C. April 10.

Announcement.

I hereby at once announce myself a safe candidate, and may I now thank my many friends for past patronage. I now shall cut prices on all kinds of sawed shingles, a large stock on hand, must be sold by April 14th; will close out cheap as I expect to make some change in my business. You win and I lose.

BIG HILL, The Shingle Man.

Alton B. Parker said the decision in the union haters case blasted the hopes of the American Anti-Boycott Association.

Francis Labadie Here Soon.

Next Wednesday night, April 19th, Mr. Francis Labadie, the world renowned interpreter and delineator of human character will appear at the Masonic Theatre under the auspices of the Daughters of the Confederacy.

Mr. Labadie has gained a position so peculiarly his own, and has achieved a success so brilliant that in announcing his appearance in selections by the most eminent authors, from both classic and modern literary fields, his management feels justified in anticipating for him a continued cordial reception.

He possesses a natural humor that dances and sparkles through his lighter efforts like sunshine, while in the classic, nature's fine adornments lend life, vigor and color to his work. His selections cover a wide range, from the delicate and airy humorous sketches, to the intense and powerful dramatic scenes from Shakespeare.

The price of admission will be 25c. School children will be admitted for half price.

Don't wait for the rush. Screen orders can be promptly executed now by us and you can secure carpenter J. S. Basnight Hdw. Co., 67 S. Front St., Phone 99.