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THE NEW CLARION

By... WILL N. HARBEN

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CHAPTER XVII.

Abner in a Difficulty.
AS soon as Abner arrived in town on the morning of his conversation with Mary while at his early breakfast he went to the office. Howard was there already and at work on an editorial. The young man's face was haggard. There were dark rings around his eyes, and his hands shook nervously.

"I see you beat me," Abner said in an effort at lightness. "You seem to believe that the early mornin' is the best time for brain work."

"Any occupation is better than none right now," Howard said wistfully. "But there are times when brain work is next to impossible. Have you seen Pole Baker this morning?"

Abner nodded, and Howard went on hurriedly:
"Then you know that I'm under surveillance?"

Abner nodded again. "That don't make any difference," he answered. "It's only a form that has to be got through with in such matters. A thing like this has to be handled on somebody, and the authorities are afraid they won't earn their wages if they don't make some sort of pretense of being on the job. At the proper time we'll show 'em a thing or two. The idea of accusin' a man of yore standin'—"

"Stop! Let's get down to facts," Howard shot a straight stare across his table into the old face bending toward him. "You know I read law for awhile, Uncle Ab. Well, I read enough and associated enough with lawyers and judges in my newspaper work in writing up various criminal cases to know that I am in a mighty tight hole. I am bound hand and foot by circumstantial evidence. I'm afraid that no lawyer in the world could free me. I can see a conviction of my guilt written in every face I meet on the street. I see it in the way they all blink and shrink from me as I pass along." Howard put his pencil down and raised both his hands to his head and sat still for a moment; then, as Abner was about to speak, he went on bluntly:

"I am innocent, and yet my conscience is not clear—not wholly clear. If it were I think I could face it better. I did not kill Craig, but I would have done it if I had had the chance two hours after my fight with him. Now he is dead I feel different. I wonder how I could have been so enraged by anything such a drunken, irresponsible creature could have said or done. But my conduct and furious threats will be held against me. This is my punishment. It is tough, but I will have to put up with it."

Abner was so wrought up by this blunt utterance that he was speechless. His kindly mouth was drawn down at the corners, and his lips twitched. He hung his hat up on its nail against the wall that he might have an excuse for turning his face away. He was longer about it than was necessary and went on slowly to the water pail on an inverted box near by and drank from the rusty tin dipper, although he was not thirsty. He felt Howard's gaze following him and was hardly prepared for what he said when they faced each other again.

"I don't feel so badly about having to go to jail," Howard said, plunging into the subject impulsively. "I don't care if they refuse me bail—and they will, of course. I don't care so much for the fact that all this town and surrounding country consider me guilty. It isn't that that I'm thinking about—that I thought about as I lay awake last night. I'm thinking about you, sir. You put yourself out to buy this paper simply to help me. You gave me good advice all along, but I paid no attention to it. Now, what has come of it? Why, with me in the county lockup your investment will go to ruin; with me on the gallows or in prison for life, people will sneer at your judgment in backing a wild, harum scarum fool that you ought to have turned down long ago and would if you hadn't been the best man in the world."

Almost with a rush Abner stepped forward. He put his hands on Howard's shoulders. He looked into the young man's face while his own filled with emotion. "Don't, don't!" he all but sobbed. "You are too young to comprehend the most beautiful of all God's vast spiritual laws. I must talk plain. I've never had a son, Howard. Ever since I was a young man some'n in me has been screamin' out for fatherhood, tellin' me that to be a father was the holiest, highest height a man kin reach on earth. Some'n else belongs to the law o' fatherhood, an' that is sufferin' through love o' the child. I've had experiences of many sorts in my life, but right now, my boy, lovin' you as I do an' gloryin' in yore beautiful young manhood an' chance to conquer difficulties an' as I see you bowin' an' broken under this thing I have a realization of my immortality—a sort of grip on it—that I never had before. This trouble o' yore'n seems to lift me

right out o' my body and dissolve me into the very spirit of God. It seems to me that all will end right somehow if I fight hard enough an' trust enough."

"At present I'm more like God in nature than I ever was, an' bein' so, I know, as God knows, you see, that wrong cannot last forever. I know an' other thing, an' that is that all Godless folks sooner or later have to acknowledge a great, all pervadin' spiritual law and bow under it in abject-humility. I've watched hundreds of reckless folks stagger on in defiance with light jokes about Deity and the like, but in every case I've seed 'em stricken by grief, loss of fortune, disgrace or some'n or other that opened their eyes. Yore blow has fell early, but it ain't any the less God sent. You'll weather this storm. It may be a heavy one, heavier than we know of, but you'll sail out of it into the sea and under clear sky. I'm sure of that, an' yet the pain of it can't be avoided. Every step toward heaven is fraught with fresh birth pains. The one person, you know, that seemed meant for me as a life companion was taken on the very eve of our union. Up to that minute, my boy, I never knowed what life as a whole meant. Up to then it was bound about with material things. Money, houses, hosses an' wagons, land an' crops, the ability to make a slick trade, to git the best o' my neighbor, was all that was to it, but after her death—after I looked in vain into her dead face for what had been that like sun light shimmerin' on a delicate flower, drawin' out the fragrance an' scatterin' it to the air—after that, I say, the whole world was changed for me. I'd been a doubter an' scoffer like some o' yore friends are now, but I couldn't doubt any longer. Her sweet spirit was some'n's—it was too wonderful to be extinct—an' I wanted to link mine to it for all time."

"In my search for light I went to shoutin' religious meetin's. Up to that time I loved all such excitement was silly, but in my awful sorrow even that was actually a step higher to God. Ef them folks had been bowin' down to sticks an' stones with such hearts in 'em as they had, with that dazzlin' hope before 'em, the God I was learnin' to know couldn't turn from 'em. The truth is that he was in every atom of the flesh an' bones. The truth is that God, let 'im be person, essence or just principle, can never be like what any book or human bein' has described. When a body comes to me with a fresh religion and explains it and at the same time admits that it is only one o' ten thousand other beliefs, I know it ain't for me, as much as I'd like to git the truth; but, on the other hand, I know it is the thing for the man that holds to it, for as a rule any belief p'intin' upward is better than none. I sometimes think that the reason that is such a jangle of various creeds on the face of the earth is that God gives 'em to us the same as we give playin' blocks to babies. We intend that the babies shall know more'n that about life some day, but the blocks are good enough to start 'em on."

Leaving Howard to himself and saying nothing of his intention, Abner went to the little street near the courthouse which was called "Lawyers' row" because five or six of the little one story brick buildings there were used as offices for lawyers. One of these had a tin sign, from which the words "Hamilton Quinby, Attorney at Law," had been almost washed off by repeated rains. The door was open, and Abner went in.

A tall man of fine build, a shock of bushy hair, sweeping iron gray mustache and a tuft of beard on his chin, stood smoking in the center of the room. On the top of a desk with a rolling cover rested an open leather bound tome, which the lawyer had been consulting.

"Good morning, Abner," he nodded, closing the book. "Pole Baker said you wanted to see me about Howard's case, an' I stayed over. I have got some minor matters to attend to at Springtown, but they kin wait till later."

"I'm glad you did," Abner eyed the open door restlessly. "Hain't you got another room back thar?" glancing toward the rear. "Thar ain't no use havin' every soul in town know I'm talkin' to you, an' they all look in as they pass. By gum! That woman almost twisted 'er fool neck off just then. Folks is the very dickens to take a mite an' make a mountain of it when excitement o' any sort is in the wind."

"Yes, I've got a consulting room back thar," Quinby returned, and he led the way through a doorway to the smaller room in the rear.

"Yes, you may think it is a funny thing for me to come talkin' about Howard before he is even accused," Abner began, as they seated themselves in the plain chairs, "but you'll admit that the situation is bad as it stands. Me an' Howard has got to keep that paper goin', an' the way folks is talkin' is calculated to damage our circula'tion. We want to be let alone, you see, judge?" Quinby had once been a justice of the peace.

"An' I loved I'd feel better of I had a chat with you. It can't do no harm now."

Quinby's face was expressionless. He rolled his cigar between his lips. "I read till a late hour last night," he said in a matter of fact tone, as he closed his right eye to cut out the coil of smoke which rose close to the lids. "I wasn't sure myself on all points of the law and wanted to be certain of my ground."

"You don't mean that you've been makin' out his case already?" Abner said in surprise.

He couldn't raise much money, and it would be plumb folly to attempt to make a long, expensive fight and be forced to give in at the end.

"In every case like this I've advised my client to plead guilty and throw himself on the mercy of the court. Howard was no doubt provoked to a great extent, and the courts are generally disposed to impose a light penalty where a due show of contrition and humility is made at the outset."

"But, judge, the boy is innocent," Abner said, firmly.

Quinby leveled his stare on the old man's face. It was the calm look he had given many a witness that was being sharply cross questioned.

"What makes you think so?" he inquired in the tone of a man of experience humoring one of not any at all.

"Because he says so," Abner returned.

"Oh, he says so, does he? I see, I see. They always do at the outset. They do even to me right at first. You see, Abner, when a feller finds himself in the fix Howard is in he has no time to think; in fact, he has no mind to think with. That's why he needs legal advice. The first thing I tell them is to keep their mouths shut and to answer no questions—to send everybody to me, and when they come to me I tell them to mind their own business. Oh, yes, it is nothing but natural for Howard to take that stand. As a general thing a feller that commits a deed like that is scared to death."

"He sees his own end looming up in front, you see, and, being guilty, his imagination paints it a million times worse than it is."

Abner had flushed slightly. He raised his hand and almost shook his finger in the lawyer's face. "I'll tell you one thing," he said sharply, "an' it's this. Howard 'ud be a fool and so would I, to go fer help to a lawyer that sets in adverse judgment on his case before he's even charged with the crime. You'll have to chew a different sort o' tobacco than you use now if you want to handle this matter. You've got to drop the scales o' unbelief in the boy from yore blinded eyes an' use 'em to help ferret out the feller that done the deed."

"I wasn't deciding in advance at all," Quinby defended himself, with rising ire. "I was only using common sense methods. May I ask if you have thought of the evidence already brought out at the inquest?"

"Yes, I have," Abner answered bluntly. "I have, but that made no odds, knowin' what I know."

"The lawyer's heavy brows met in a begetter front. "Do you know of

any way that he can establish an alibi—prove where he spent the night on which Craig was shot?"

"No, I don't, if the boy's word won't go," Abner answered. "It goes with me."

"Well, you ought to know that if you won't go in court," Quinby retorted quite angrily. "If you don't do, you seem to think a lawyer ought to fight a case on any lines suggested by an excited client. I don't. I lost cases in that way when, as a beardless boy, I first hung out my shingle. I've made a reputation for lowering fines and penalties, and I don't want to go backward. I could make myself the laughing stock of the bar of the whole state if I went against my judgment."

"I see yore p'int," Abner sneered. "Circumstances by accident git tangled about a innocent man, an' he is advised by a high an' mighty legal expert to plead guilty so as to git as light punishment as possible. A feller as miserable as Howard is has to add to his sufferin' by swearin' a lie an' disgrace in his folks to save his neck. I don't know how Howard is, but I wouldn't take advice like that to save mine."

"I'm afraid you are unreasonable," Quinby retorted loftily. "I haven't said yet that I thought positively that Howard was guilty."

away with you. Now that I'm out of the case I'll speak more plainly. That boy shot Craig, and he shot him deliberately and in revenge. He said he would do it, firmed himself and was seen at Craig's gate half an hour before the killing. He started to escape through the woods. He spent the remainder of the night tramping about no doubt half crazy. I'm glad I'm out of the case."

"So'm I, judge," Abner rose and put on his slouch hat. "I've got a terrible hard fight before me, an' I ain't lookin' fer yore sort to help."

CHAPTER XVIII.

MORE despondent than he had been since the discovery of the crime, Abner started for his office. A bell in the steeple of a distant church was tolling, and crossing the street a couple of squares below he saw a crude hearse followed by a few buggies and carriages slowly moving toward the cemetery on a red hill to the west. It was the burial procession of the murdered man.

Just as he was about to ascend the stairs Abner met a young man coming down. It was William Barnett, a rising young lawyer, whom Abner had known from his boyhood.

"Hello, Billy," Abner greeted him warmly. "What've you been? I hain't seed you fer a month."

"Been away on business," the lawyer answered. He was of medium height, rather slender in build and florid complexion. He had a face that indicated the possession of rare intelligence, a clear blue eye and active body. "I'm about to induce some big cotton mills to locate at Darley. Yore paper has started a boom, Uncle Ab."

"I hope so," Abner answered listlessly. "You've heard of Howard's trouble, I know."

"Yes, hurried home on that account," Barnett answered, his face falling into gravity. "I've just been up to see him. He and I are very close friends. Roomed together at college and been chums ever since. We used to share our pocket money between us. Uncle Ab, this thing has hit me hard. You see, I know from experience what a sensitive fellow Howard is. He almost cried up there just now. I tried to cheer 'im up with my cotton mill news, but he hardly heard what I was saying. He blames himself for gettin' you and his family into such a terrible trouble."

"Do you think an arrest will be made?" Abner faltered.

"Oh, yes; there is no getting around that, and it will happen at any minute now. The grand jury has found a bill. The sheriff is only delaying because he likes Howard and hates to take action. Yes, it is awful, Uncle Ab, for an innocent young man to be accused."

"Then you think he is innocent?" Abner exclaimed gratefully.

"I not only think it, but I know it," Barnett returned. "Anybody that looks in Howard's face can see the truth beamin' out of it. Knowing him as I do, I'd take his word for any statement that he would make. I don't believe he ever lied in his life. He's true blue and finer now under this cloud than he ever was. God knows this is terribly unfair, Uncle Ab. He has a temper that he came by honestly, and it was nothing but natural for him to resent Craig's insulting remarks. I'll lose faith in the universe if this goes against him. There is something I wanted to say to him, but I was afraid it might hurt his feelings. Uncle Ab, I owe Howard for a thousand kind acts in the past. I have saved up some money, got nobody to support, and if you need any cash I want you to come to me for it. Just let it be between you and me. Howard needn't know about it, but I want to help."

Abner's eyes grew moist. He caught the young man's hand and wrung it. "We won't need no money," he gulped. "but we need a lawyer that believes in 'im. I've talked to one old hog that thinks the boy's guilty. Billy, you are the only man in the state that I'd trust the case to. Will you take it?"

"I'll do my best," Barnett said, taken aback somewhat. "If giving my whole soul to it will win, I'll succeed. How are you, and how are you? I feel like I could make any twelve men in the world believe it. I see now that bail won't be allowed, and our friend will have to stay in jail till the court unless we can find the real criminal. The officers are so sure that they have the right man that they will let the other slip through their fingers. We must do some detective work on our own account. It is the only thing that will do us a bit of good."

Entering the office a few minutes later, Abner saw Howard still at his table, but a glance sufficed to convince him that the young man was unable to concentrate his mind upon his work. Abner paused behind him and looked over his shoulder. This is what he saw as the beginning of an article: **OLD DARLEY ON A BOOM! BIG COTTON MILLS TO LOCATE HERE! A NEW RAILROAD TALKED OF!** Abner sighed, and looking up, Howard caught his eye.

"Ef I was you I'd not bother about that fer this week's issue, anyway," the old man faltered. "I hate to say it, but I reckon we ort to lay sec things aside fer awhile, an'—"

"You mean because—I see, because," Howard's voice trailed away in waves of despair.

"We'd as well face the truth, bad as it is," Abner said, his tones full and round.

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"Don't talk that way—don't!" Abner cried. "Some'n has got to be done, but what I don't know yet. Work is before us of a different sort than gatherin' and abstractin' news."

Howard laid down his pencil and stood up. His face, in his bloodless cast, was almost gray in color. He moved to one of the front windows and looked out.

"I see the sheriff and Jim Tibbs, his deputy in front of the livery stable. They are looking this way and talking to a group. They will be here in a few minutes. There is no use trying to hope otherwise. I've been fighting it off all day. I am sure that the grand jury has already ordered my arrest."

Howard suddenly faced the old man.

"I see," Howard muttered in what was almost a groan. "They are not even going to give me personally a chance to work up proof of my innocence. I'll be wholly dependent on my friends, and that hurts—that cuts to the quick. But, above all—let me say it now, Uncle Abner—I shall think more of your pain and my mother's than all the rest put together."

"You won't suffer long," Abner gulped. "Me an' Billy an' Pole Baker will turn the earth upside down or find the guilty man. All we want you to do is to be patient an' trust us. Keep yore soul pure an' sweet under this calamity."

There was a step on the stair below. "They are comin'," Howard said. "Yes, that's them," Abner agreed.

The next minute Jeff Dill, the sheriff, a tall, thin man of middle age, and Jim Tibbs, his deputy, a young man, came in, their faces set grimly. Dill let his shrinking glance fall on Howard's steady eyes.

"I reckon you know why we've come, Howard," he began awkwardly.

Howard nodded. "Yes, I know."

"The Lord knows I hate my part of it," Dill went on, with averted eyes. "Nobody knows better 'n me an' Jim here what a tough customer Fred Craig was. Ef you hain't done it somebody else would have been sure sooner or later to—"

"Stop!" Abner flared up. "That's a purty way fer an officer to talk, Howard an' ain't been found guilty yet, thank God."

"I'm sorry," Dill said, in no little confusion. "It is reported out in town that Howard has admitted it to several, an' naturally I thought—"

"Well, he hain't admitted it to nobody," Abner fumed. "He's as innocent of it as I am. You kin hear black is white in a town full o' bellers like this un. Folks want to talk the worst they kin agin anybody that's tryin' to do right an' rise above the common level."

"Never mind, Dill," Howard put in bravely. "It is natural for you to believe I did it, and no harm has been done. I'm ready to go with you."

Dill fumbled a parcel wrapped in brown paper and tied with a piece of twine. As he unrolled it the links of a steel chain clinked and a pair of new handcuffs came into view.

"Will that be necessary?" Howard asked, forcing a smile. "I don't intend to try to get away."

"I'm afraid it is, Howard," the sheriff returned.

"Oh, it's all right," Howard said quickly. "I am no better than any other prisoner." And as he spoke he extended his arms. He was wearing a thin office coat, and Dill glanced from it to another hanging from a nail on the wall.

Continued on Page Four.

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"I'm afraid you are unreasonable," Quinby retorted loftily. "I haven't said yet that I thought positively that Howard was guilty."

"No, but you said some'n jest as bad," Abner flared back. "You intimated that you was goin' to put the boy on some sort o' rack to make 'im own up. Now, ef I owe you anything fer yore advice—such as it is—you may send me yore bill, but I'd out off my right arm rather'n trust Howard's life in yore hands."

"I don't ask for the case, understand that," Quinby was now flushed with fury. "And, moreover, when it has been thrashed out in court on any other line you'll regret that you didn't listen to me. You don't owe me a cent, you are a farmer, Abner, not a lawyer, and you have let yore emotions run