

THE PALESTINE DAILY HERALD.

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W. M. AND H. V. HAMILTON, JR., . . . EDITORS AND PROPRIETORS.

TELEPHONE 444,
"The Hamilton Boys, You Know."

SUBSCRIPTION 15 CENTS THE WEEK

BY THE YEAR, \$6.00

Take you heed of
this: As sure as you
live, the producers are
the feeders and cloth-
ers of the world.



Among freemen
there should be no
masters but justice
and duty and love of
right and fellowman.

PALESTINE, TEXAS, MARCH 14, 1906.

THIS DATE IN HISTORY.

1369—Battle of Montell.
1471—Edward IV. of England returned from exile.
1519—Fernando Cortez and band of explorers attacked by Indians.
1555—John Russell, Earl of Bedford, died.
1590—Battle of Ivry.
1644—Roger Williams obtained a charter for incorporation of Providence, R. I.
1663—Simon Morin died.
1676—Narragansett Indians attacked Northampton, Mass.
1712—Countess of Falkenberg, the daughter of Oliver Cromwell, died.
1757—Admiral John Byng shot at Portsmouth, England, for cowardice.
1800—Daniel Barrington, celebrated English lawyer, died.
1803—Theophilus Klopstock, German poet, died. Born 1724.
1813—Delaware river blockaded by British ships.
1855—First train across Niagara bridge.
1861—Kingdom of Italy established.
1865—Confederate arsenal at Fayetteville, N. C., destroyed by Sherman.
1866—Jared Sparks, historian and professor of Harvard University, died.
1875—Tornado devastated Renzi, Miss.
1878—Robert F. Pinkney died.
1883—Karl Marx, founder of German socialism, died. Born May 5, 1818.
1887—Train fell through a bridge in Boston; forty lives lost.
1890—Boomers invaded the Cherokee Strip.
1894—Walter Wellman, Arctic explorer, sailed from New York.

SENSIBLE ADVICE.

Harvie Jordan, president of the Southern Cotton Association, says: "This is a year when the farmers of the south should fully show their loyalty to themselves, their families and their country by materially increasing the acreage of food supply crops on every farm, and thereby holding the production of cotton within the limits of legitimate and necessary consumption. Let every farmer pledge himself to this policy and carry into practical operation the advice of the Southern Cotton Association. The association appeals to every farmer to cut his cotton acreage 25 per cent. below the acreage planted in 1904, and to increase his food supply crops proportionately. If this policy is adhered to, profitable prices for cotton can be maintained and their independence assured."

It is to be hoped the farmers of the south will heed the above sensible advice, and show to the speculators and tricksters in the money centers of the east that they can withstand a temptation that has for its ultimate end the wrecking of prices, and putting cotton down to a pauper price again. If the Southern Cotton Growers' Association can control the acreage of cotton for two years more it will have succeeded in demonstrating to the farmers that their salvation is in close union and organized efforts in growing and marketing the cotton crop. A bumper crop this year would mean the tearing down of all the good work so far accomplished by the Association. Don't take the bait.

Whatever happens, stay by your town.

Good reports come from over the country.

This is the kind of weather in which to get plans and specifications on the needs of your sidewalk.

The Herald still insists that this city and county need nothing so much as new agriculturists to make our lands produce.

Wherever it has been tried, the split log has been declared a wonderful road worker.

We all abuse the trusts and then buy their products in preference to the home-made article. That shows that we hate them fiercely.

If the state road is built into Palestine and gives the city a connection

with the T. & N. O. it will be a very valuable connection, and will give Palestine the outlet she should have had when the T. & N. O. first came through this territory.

Graft, as the term is employed with reference to public officials, does not mean that an official is a thief. But as we understand it, any waste of public funds, through carelessness or incapacity to handle the public treasury in the purchasing of public utilities is graft. A man does not have to be literally crooked to be a grafter.

Behold a picture. Senator Depew is reported to be in hiding from justice. He does not relish the thought of going before a board of inquiry and telling the truth. A United States senator, chosen by the people to make laws for the protection of person and property, running from the law. That is a picture to make people think.

Judge Alton B. Parker, who made so poor a run for the Democrats in the last presidential election, has come to life, and in a recent address predicts that the Democrats will elect the next president as well as the senate and congress. We quite agree with him, if the party will show wisdom enough to nominate a man who stands for Democracy in its broad sense. Say a man like Bryan.

The anarchy of the rich is a new and interesting study in this country. It develops that the rich of the country have been so accustomed to overriding the law, and in many cases directing the application of the law, that they have come to believe literally that the law is created and maintained against the poor entirely. They have welded such power heretofore that it is beyond their ability to reason or understand that the law can reach them. It is time their mistake was being corrected, and if we had a few more officers with backbone this would come to pass in short order.

CAST OF CHARACTERS

To Present "Erin Go Bragh" on Saturday Evening, March 17.

The following is the cast of characters that will appear in the Irish drama, "Erin Go Bragh," on St. Patrick's day night, March 17, at the opera house, for the Catholic church benefit:

James O'Brien.....L. A. Pierce
Squire Donnelly.....J. D. Healy
Bartie Dugan.....T. O'Connell
Phil O'Connor.....D. L. Rainey
Terry Murphy.....Charlie Russ
Nancy, the Mountain Witch.....
.....R. E. Fulton
Blanche Flynn.....Mrs. J. W. Cunningham
Alice Gorman.....Miss Julia Healy
Margaret Donnelly.....Miss Lizzie Mair
Irish songs and music will be introduced during and between the acts by Mrs. Grigsby, Mrs. Colley, Miss Healy and Mr. J. D. Healy.

Home Missionary Society.

The Home Missionary Society of Grace Methodist church held its regular devotional meeting on Monday, March 12, at the residence of Mrs. Harry Everett. Quite a large number were in attendance. Mesdames Gus Garrison and Campbell were elected as delegates to the conference which will convene in Timpson in April.

This society is doing a fine work, and every officer is wide-awake to the duties and responsibilities which confront them.

Home Missionary Society of Centenary met Tuesday in the church. This society, too, is bright and active, and making good progress toward the furnishing of the new parsonage. Press Supt.

Ladies of the Maccabees.

Palestine Hive 67 of the Ladies of the Maccabees will hold their regular review Wednesday, March 14, at 2:30, at K. of P. Hall.

Mrs. Little McClary, L. C.
Mrs. Ruth Denison, R. K.

Big shipment of flower pots just received. Going cheap. Also shipment of stone churns. The Bargain Store, J. E. Bonds, proprietor. 13-34

HODGES'

Magnificent Specials, Commencing Wednesday, March 14th,
Closes Tuesday, March 20th.

Grand Display of New Goods SPECIALLY
PRICED for This Week.

60 dozen Ladies' Fast Black Seamless Lisle Finished Hose, worth 20c, our special price only.....13c or 4 pairs for 50c.	60 dozen Men's Ba'brigan Under Shirts and Drawers, worth 47c, our special price only, each.....39c
120 dozen Ladies' Bleach Ribbed Vests, worth 10c to 12-1/2c, our special price only, each.....8c	60 dozen Men's Bleach Under Shirts and Drawers, pearl buttons, silk taped, a magnificent garment for 35c, our special price only 50c a suit or 25c per garment
10 dozen Ladies' Muslin Gowns, worth 50c, 65c and 75c, our special price only, each.....49c	Men's Shirts, grand patterns, cuffs attached, regular or coat styles at 50c, 75c, \$1, \$1.50
20 dozen Children's H. & W. Under Waists, hose supporters attached, worth 35c, our special price only, each.....29c	Schloss Bros. and Alco System Clothing, the top notch of perfection in fit and make, at from.....\$10.00 to \$22.50 a suit.
One lot Figured Lawn, cheap at 5c, our special price only.....10 yards for 43c	

YOURS VERY TRULY,

Hodges Dry Goods Co.

Musical.

The ladies of the Christian church will give a musicale on Thursday evening, March 15th, at 8 o'clock, at the church. Benefit new church fund. Admission, adults 25c; children 10c.

We have secured some of the best talent in the city, who are sure to entertain and delight the most refined and critical audience.

Following is the program:
1. Reading, "The Ladies' Aid"—Miriam Stevens.
2. Piano Solo, selected—Mrs. Rush Shamblin.
3. Instrumental Quintet, selected—Misses Ada Schelling, Annie Schelling, Peabworth, Mair, Mr. Peabworth.
4. Vocal Solo, "I Miss You, Dear"—Mrs. J. W. Cunningham.
5. Reading, "A Yankee in Love"—Miss Blanche Fowler.
6. Quartet, B Sharp Musical Club, "Good-Bye, Sweet Day"—Mrs. S. P. Colley, Miss Julia Healy, Miss Ethel Burton, Mrs. I. Schreiner.
7. Instrumental Duet, selected—Misses Schelling.
8. Vocal Solo, "Thine Eyes So Blue and Tender"—Mrs. Edgar Erwin.
9. Reading, "The White Lily"—Miss Nell Brian.
10. Violin Solo, selected—Miss Vanita DeMitt. 13-21

Texas Heroes' Day.

Texas Heroes' Day will be observed by the John H. Reagan Chapter at the city hall on March 15th, promptly at four o'clock. The following program will be carried out:

Prayer—Rev. I. Sellers.
Music—Mrs. Shamblin.
Address on General Wheeler—A. G. Greenwood.
Song—Emory Sweetman.
Music—Elizabeth Barry.
Recitation—Miss Kate Allen.
Music—Miss Elizabeth Colley.
Texas Heroes—Miss Pauline Buck.
Dixie—Miss Lizzie Jackson.
Prayer and Benediction—Rev. L. D. Anderson.

WAYLaid AND SHOT.

Red Sears is Wounded and Sanders Lufkin is Wanted.

Trinity, Texas, March 12.—Red Sears was waylaid and shot last night in the western part of town, but not necessarily fatally. Officers are looking for Sanders Lufkin. All parties are colored.

OLYMPIC

Program for the Week Beginning March Twelve.

Panoramic View of New York City.
The Angler.
The Alligator Farm.
Tonsils at Play.
Shriner's Day at Coney Island.
His First Night Out.
Amusing Changes.
Panoramic View of Switzerland.
Feature for the week: "Paris Apaches."
Illustrated Songs: "When the Sun-set Turns the Ocean's Waves to Gold," "Just For Old-Time's Sake."
This program will prove a winner. Performances at 4:15 and 8:15 p. m. Ladies and children especially invited.
Admission 10 cents to all.
First door west of Opera House, ground floor.
"Erin Go Bragh" at the opera house March 17th.

CITATION.

The State of Texas.

To the Sheriff or any Constable of Anderson County, Greeting:

You are hereby commanded to summon heirs of Henrietta C. Fain, heirs of Isabella Hudson, heirs of Comas B. McCormick, heirs of Nathaniel McCormick, heirs of William McCormick, heirs of William B. McCormick, wife of Wm. B. McCormick, Frank Parsons and James S. Wallace, by making publication of this Citation once in each week for eight successive weeks previous to the return day hereof, in some newspaper published in your county. If there be a newspaper published therein, but if not, then in any newspaper published in the third judicial district; but if there be no newspaper published in said judicial district, then in a newspaper published in the nearest district to said third judicial district, to appear at the next regular term of the District Court of Anderson county, to be held at the Court House thereof, in Palestine, on the 20th Monday after the 1st Monday in Feb., 1906, same being the 25th day of June, 1906, then and there to answer a petition filed in said Court on the 6th day of March, A. D. 1906, in a suit numbered on the docket of said Court No. 7415, wherein R. F. Pool is plaintiff, and heirs of Henrietta C. Fain, heirs of Isabella Hudson, heirs of Comas B. McCormick, heirs of Nathaniel McCormick, heirs of William McCormick, heirs of William B. McCormick, wife of William B. McCormick, Frank Parsons and James S. Wallace are defendants, and said petition alleging that plaintiff is now, and was on the 1st day of March, 1906, the owner in fee simple of the following described tract or parcel of land, to-wit:

Lying and being situated in the City of Palestine, Texas, part of the Samuel G. Wells headright survey, and being fractional lots north of lots 3 and 4 according to the original plat of said city, and bound as follows:

Bound on the west by Perry street, bound on the north by the south line of a lot formerly owned by Horace Word, and now owned by E. E. Durham, bound on the east by Fannin street, bound on the south by Mrs. Nannie Morris' lot, said lot purchased by said Morris from Annie Lattimer, by deed recorded in Vol. 7, page 615 of the deed records of Anderson county; the lots claimed by plaintiff being about 120 feet square and being the same purchased by Geo. C. Deming from E. E. Durham, deed recorded in Vol. 63, page 32, and sold by Geo. C. Deming to Dr. F. L. Davis by deed recorded in Vol. 63, page 78 of the deed records of Anderson county, Texas, and conveyed by Dr. F. L. Davis to plaintiff by deed recorded in Vol. 77, page 411 of the deed records of Anderson county, Texas, to all of which deeds reference is here made for a more particular description.

That on said 1st day of March, 1906, defendants unlawfully entered upon said land and ejected plaintiff therefrom and withholds from plaintiff the possession thereof, and hence he sues.

That plaintiff and those whose estate he has have been in actual, peaceable and adverse possession of the above described land, occupying, using and enjoying the same for a period of more than ten years prior to the filing of this suit.

That plaintiff and those whose estate he has have had actual, peaceable and adverse possession of the above described land, occupying, using and enjoying the same, paying all taxes due thereon, and claiming same under deeds duly registered for more than five years prior to the filing of this suit.

It appears from the record that Wm. McCormick, Henrietta C. Fain, formerly McCormick, Isabella Hudson, formerly McCormick, and Comas B. McCormick, purporting to be the only heirs of Wm. B. McCormick, gave a power of attorney to Nathaniel McCormick, which is recorded in Vol. A, page 192 of the deed records of Anderson county, to sell fractional lots 3 and 4, lying immediately north of lots 1, 2, 3 and 4 in block 2 in the town of Palestine, being the same land claimed by plaintiff.

Henrietta C. Fain and Isabella Hudson were married women, and neither the husband of said Henrietta C. Fain nor of Isabella Hudson signed nor acknowledged such power of attorney, which renders it a nullity in so far as the interests of said Henrietta C. Fain and Isabella Hudson are concerned.

The Judge of the Circuit Court of Henrico county, Va., in taking the acknowledgment of Comas B. McCormick to the above power of attorney failed to state that Comas B. McCormick was known to him, and failed to affix the impress of his official seal to such certificate of acknowledgment, and failed to state that such court was a court of record, which renders such acknowledgment defective.

Nathaniel McCormick by virtue of the foregoing power of attorney, by deed dated February 1st, 1899, recorded in Vol. 63, page 220 of the deed records of Anderson county, Texas, undertook to convey the interests of Henrietta C. Fain and Isabella Hudson in the land described in said power of attorney, to Wm. McCormick, being the same land claimed by plaintiff, but by reason of such power of attorney being void as to Henrietta C. Fain and Isabella Hudson, their title to the above described land did not pass by such conveyance, as did that of Comas B. McCormick, and that such outstanding claim of Henrietta C. Fain and Isabella Hudson casts a cloud upon plaintiff's title.

Wm. McCormick, by deed dated August 18th, 1871, recorded in Vol. O, page 397 of the deed records of Anderson county, Texas, conveyed to Nathaniel McCormick fractional lots Nos. 3 and 4 lying immediately north of lots 1, 2, 3 and 4 in block No. 2 in Palestine, being the same land claimed by plaintiff.

This deed was witnessed by N. M. Fain and Isabella Hudson, and was attempted to be proved for record, but instead of being proven as required by law, the notary took the acknowledgment of the witness, N. M. Fain, and it is through and under this deed that plaintiff claims title to the land in controversy, and such defective certificate renders the registration of such deed improper, and the apparent claim of Wm. McCormick casts a cloud upon plaintiff's title.

Nathaniel McCormick, by deed dated October 4th, 1871, recorded in Vol. O, page 397 of the deed records of Anderson county, Texas, conveyed to W. W. Hasty fractional lots north of lots 3 and 4 and lying immediately north of lots 1, 2, 3 and 4 in block 2 in Palestine, being the same land claimed by plaintiff.

The notary in certifying to the acknowledgment of Nat McCormick to the above described deed begins his certificate: "The State of Texas, County of Anderson," and signed it "R. L. McKinney, J. P. & Notary Public, precinct No. 4, Cherokee county, Texas," and further failed to state that Nathaniel McCormick was known to him, all of which renders the certificate of acknowledgment defective, and it is through and under this deed that plaintiff claims title to the land in controversy, and that such defective registration renders the registration of such deed improper, and the apparent claim of Wm. McCormick casts a cloud upon plaintiff's title.

On October 7th, 1872, there was rendered in the District Court of Anderson county, Texas, in cause No. 2507, styled B. W. and J. F. Hasty vs. Frank Parsons, a judgment in favor of B. W. and J. F. Hasty against Frank Parsons, foreclosing a vendor's lien given on fractional lots lying north of the readjusted survey of Palestine, which lies west of street which runs north and south through the town plat of said town between fractional or double lots 3 and 4 in block No. 2, to secure a note for \$203.78, and being the same land claimed by plaintiff, and it is through and under this judgment, order of sale, and sheriff's deed that plaintiff deigns title to the land in controversy.

An order of sale was issued by virtue of the above judgment to sell the above described land, which description is insufficient, and said land was sold to James S. Wallace, but the sheriff in making deed of conveyance to said Wallace, which deed is recorded in Vol. P, page 658 of the deed records of Anderson county, Texas, conveyed the interest of Frank Parsons in the above described land, instead of the interest of Frank Parsons against whom the judgment was rendered, and the order of sale issued, and that such outstanding claim of Frank Parsons casts a cloud upon plaintiff's title.

James Wallace, by deed dated January 1st, 1874, recorded in Vol. Q, page 295 of the deed records of Anderson county, Texas, conveyed to M. C. Bishop all that fractional lot of land lying north of the readjusted survey of the town of Palestine, which lies west of street which runs north and south through the town plat between fractional or double lots 3 and 4 in block 2 of said town, for a recited consideration of \$275.00, payable as follows: \$75.00 cash, and two notes each for \$100.00, dated same date as deed, one due January 1st, 1875, the other due January 1st, 1876, reserving the vendor's lien upon the above described land to secure the payment of said notes, and being the same land claimed by plaintiff.

Said notes have long since been paid off and discharged, but there is nothing of record to show that the lien reserved in said deed has been released.

In certifying to the acknowledgment of James S. Wallace to the foregoing deed the notary failed to affix the impress of his official seal, which renders such certificate defective, and the registration is improper, and it is through and under this deed that plaintiff claims title to the land in controversy, and that the absence of a release of the vendor's lien and improper registration of such deed, said James S. Wallace has an apparent claim upon the land in controversy, which casts a cloud upon plaintiff's title.

Geo. C. Deming and wife, by deed dated February 9th, 1898, recorded in Vol. 63, page 78 of the deed records of Anderson county, Texas, to which reference is here made, conveyed to F. L. Davis the above described lot or parcel of land, and through and under this deed plaintiff claims title to the land in controversy.

F. L. Davis, by deed recorded in Vol. 77, page 411 of the deed records of Anderson county, to which reference is here made, conveyed to plaintiff the above described land, and through and under this deed plaintiff claims title to the above described land.

Wherefore, plaintiff prays that defendants be cited as required by law to answer this petition, and that on the final trial of this cause he have judgment for the title and possession of said land and declaring the lien reserved in the deed from James S. Wallace to M. C. Bishop be released and discharged and of no further force and effect, and quieting his title to said land, and further declaring his title superior to that of all the defendants, for costs, and for general relief, as he will ever pray.

Herein fail not, but have before said Court, at its aforesaid next regular term, this writ, with your return thereon, showing how you have executed the same.

Witness, J. F. Brown, Clerk of the District Court of Anderson County. Given under my hand and the seal of said Court, at office in Palestine, this 6th day of March, A. D. 1906.

J. F. BROWN,
Clerk, District Court, Anderson Co.

SECRET IS OUT.
Bratton Makes Public Formula of Mi-on-a, the Guaranteed Cure for Stomach Troubles.

Bratton Drug Co. are very anxious to have Mi-on-a, a remedy which they sell under a guarantee as a cure for stomach troubles, tested rigidly in every case of heart-burn, acute dyspepsia, annoying dreams, sleeplessness, general weakness and debility, or where the vital powers need restoration, and the digestive organs do not act as they should.

Mi-on-a is composed of bismuth subgallate, by all odds the very best medicine known for intestinal diseases. It combines with the free sulphur compounds in the bowels, forming a black substance which is then passed off from the body without harm. It also has a soothing effect upon the nerve endings in the stomach.

With this is combined cerium oxalate, a standard remedy in the treatment of all irritation of the stomach and digestive organs. Sodium bicarbonate is then added to overcome the excessive acidity usually present in stomach troubles, and nuxvomica for its general tonic and nerve-strengthening powers.

This combination of reliable remedies makes Mi-on-a a positive cure for all stomach troubles, and, perhaps the only one that can be sold under a guarantee that it costs nothing unless it cures.

A large box of Mi-on-a tablets is sold for 50 cents by Bratton Drug Co., with an absolute guarantee of curing or money refunded.

"Erin Go Bragh" at the opera house March 17th.