THE OMAHA SUNDAY BEE.

FOUNDED BY EDWARD ROSEWATER.

VICTOR ROSEWATER, EDITOR.

Entered at Omaha postoffice as secondlass malter

TERMS OF SUBSCRIPTION. Sunday Bee, one year Saturday Bee, one year Daily Bee (without Sunday), one Daily Bee and Sunday, one year \$2.50 Vear

DELIVERED BY CARRIER. Evening Bee (with Sunday), per month Daily Bee, (including Sunday), per mo.. 65c Daily Bee (without Sunday), per mo.. 45c Address all complaints of irregularities in delivery to City Circulation Department.

OFFICES. Omaha-The Boe Building. South Omaha-45 N. Twenty-fourth St. Council Bluffs-1s Scott St. Lincoln-26 Little Huilding. Chicago-1548 Marquette Building. Kanasa City-Rellance Building. New York-34 West Thirty-third St. Washington-725 Fourteenth S. N. W. CODBESDONTEWICE OFFICES.

CORRESPONDENCE. Communications relating to news and ditorial matter should be addressed maha Bee, Editorial Department. ditorial

REMITTANCES.

APRIL CIRCULATION. 48,106

State of Nebraska, County of Douglas, ss. copies, 45,105.

Subscribed in my presence and sworn to before me this ist day of May. 1911. (Seal.) ROBERT HUNTER, Notary Public. Circulation Manager.

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Morning. How're the dandelions?

It is a misnomer to call it "peace in Mexico.'

The Diaz election contest is over, but Lorimer's is still on.

House announces that it is ready. Get them practically workable. that, congress?

It is only a question of time when postal savings will catch up with and pass rural free delivery.

Associate Justice Harlan is entitled to the distinction of being the insurgent of the supreme court.

Rumor says former Mayor Schmitz of San Francisco is bankrupt. Well, it had better be Schmitz than the city.

A member of the Mexican Chamber of Deputies got so hot pleading for peace he fainted. Let the war proceed.

It was 94 in Omaha, but one scarcely realized it until the official the law-breakers and to deny relief and cool.

If the new regime in Mexico means | honestly and impartially and to apply it, let it take steps to limit the num- the law to clear the innocent and punber of times a man may be elected president.

Judicial Legislation.

Among the striking passages in Justice Harlan's opinion in the Standard Oil case is his reference to judicial legislation couched in the following language:

In the now not very short life that have passed in this capital and in the flow has to be provided for. The that both China and Japan are pretty public service of the country, the most problem in England is not population well tangled up with domestic prob- clude Nebraska as a place for the alarming tendency of this day, in my increase but population distribution. judgment, so far as the safety and in tegrity of our institutions are concerned

Diaz's Flight from Mexico. is the tendency to judicial legislation. From the context it might be in-In the flight of Citizen Porfirio

ferred that the learned jurist means Diaz the Mexican revolution is to convey the impression that the rounded out in the glamor of the tendency toward judicial legislation is melodramatic that usually marks poa new and modern innovation, being litical transitions in Latin countries. "of this day" only, when as a matter For a third of a century this man of fact the outcry against judicial leg- ruled his people so completely that it arbitration treaty. islation dates back to the foundation has been said of him, "Mexico is lost of the republic, and has been almost in Diaz, Diaz is Mexico." Now, continuous during that time. Deplore stripped of all power, stricken in the tendency to judicial legislation to years and health, he steals out of a

Remit by draft, express or postal order, payable to The Bee Publishing Company. Only 2-cent stamps received in payment of mail accounts. Personal checks except on Omaha and eastern exchange not accepted. the satisfaction of one and all by the most cursory examination of almost any volume of court reports on the book shelves. book shelves the satisfaction of one and all by the sick chamber under the protection of Colonel Roosevelt contributes an any volume of court reports on the way along lonely highways to a train Lesson for the Rest of the Union, book shelves. prepared and ready to bear him and

One difficulty is that there is a his household away to a ship that is his recent western tour, in which he wide divergence of opinion as to what to carry them to safety in another pays fulsome tribute to the Badger constitutes judicial legislation, de- land. No skill of stagecraft could state as a leader in social and civic repending largely upon the view point, have arranged a more effective setting. form. Dwight Williams, circulation manager of The Bee Publishing Company, being duly sworn, anys that the average daily circula-tion, less spolled, unused and returned for the month of the spolled, unused and returned for the spolled, unused and returned anys that the average daily circula-eas spolled, unused and returned for the month of April 1911, was DWIGHT WILLIAMS. cases. The litigant who wins the de-It is the Latin way. Diaz evidently cision seldom objects that the court did not mean what he said when he has resorted to judicial legislation accompanied his first promise to rewhile the defeated party in the suit sign with a statement of his intention is usually consoled by his lawyer with to remain in Mexico, secure in the cans must make our civil and industhe information that he would have feeling that "my countrymen will not trial advance during the next few won if the court had followed the law harm me." It is plain now why he decades." as the legislature made it. temporized. It is not so creditable

Sometimes, the judges find them- to his people, though. Was the ora- the position to which Wisconsin has selves face to face with what is apparently a perplexing conflict of law, where one set of lawmakers has used language that fails to gibe with the faster than the author of their law or constitution as written by progress realized?"

another set of law-makers, and the But Diaz's departure, pathetic as it court undertakes to reconcile them as is, leaves the new regime in Mexico The keeper of the summer White best it may with a view to making free to perfect its plans for improve-

> Still again laws have found their way to the statute books which no two persons could read alike, and it dewarrior some interest to look on from volves upon the courts either to annul them or to supply omissions which while out his remaining days.

> > Reclaiming Swamp Land.

In all these cases we have indubita-If plans of the National Irrigation ble examples of judicial legislation; in congress are successful, 80,000,000 fact, we have judicial legislation in acres of swamp land, all east of the some degree nearly every time a new Rocky mountains, will be reclaimed question is presented for adjudication. and soon placed under cultivation. Whether the tendency to judicial The project for its reclamation was legislation then is an alarming announced at the nineteenth annual tendency must be determined according to the kind of judicial legislation we are given, whether the courts con- the cost of the work of reclamation; strue the law on a broad basis of just- this land, it is estimated, would inice or hunt for technicalities to shield crease its value by the sum of \$1,500,-000,000. The land lies in several weather man told him, it was so nice from oppression. The tendency of states and this is a distinct advantage,

judicial legislation will not be alarm- for it would make possible a wide dising if only the courts endeavor tribution of settlers that is most desirable in all work of this sort. Certainly, as the congres points out,

ish the guilty and to safeguard if the government can dig a dry ditch advertising, which may account for equally the rights of every person for reclaiming soil, it can dig a wet Nebraska enjoying less of the lime

THE OMAHA SUNDAY BEE: MAY 28, 1911.

the plan of deporting as many of its participated. Base deceiver! And ident to cast his official headquarters surplus subjects as possible to its col- yet there is the pleasing consolation at one of two places for the heated onies, as the only promising outlet for that Japan needed more than a leader, season-Lake Minnetonka, Minnesota, them. With no room for contiguous arms and training in its recent en- or Lake Okoboji, Iowa. Now, beth of expansion on the island and the in- counter with Russia and, while not these are beautiful and delightful dustrial employments, great as they are, yet unequal to demands an over- there is the further fact for our relief, lacking in Senator Kenyon's invita-

here to give us a thrashing.

But it is well to have this advance the Iowan called this to the atinformation, for it will enable the tention of the president his invita-United States to prepare for the worst. Also, we know now that Japan was just trying to trap us when she ex- failed to, the president could not have pressed a wish to join in that general been expected to mention it, himself, Come on, if you dare.

Nebraska and Wisconsin.

In the current issue of the Outlook, article entitled, "Wisconsin, an Object based on personal observation during "After my visit," he conhad done and was doing; and I felt much more like congratulating the country as a whole because it has in the state of Wisconsin a pioneer blazing the way along which we Ameri-

Without seeking to detract from torical member of the Chamber of attained, we feel perfectly safe in as-Deputies right when he exclaimed that serting for Nebraska a claim to fur-'the people of Mexico have progressed nish an as good, if not better, object lesson for the rest of the union. Ne-

braska is a newer state than Wisconsin, a less populous state and a less wealthy state, but in civic and industrial reform it got ahead of Wisconment upon the Diaz government, an sin, and even now is nowhere behind achievement it must not expect to it. In the great contest between the reach at once. It may afford the old railroads and the people Nebraska made earlier and altogether better distant Spain, whither he goes to progress than Wisconsin. In election

reform Nebraska was among the first to adopt the Australian ballot, it beat all but Ohio with a corrupt practices

act, and broke ground for the statephur and molasses. wide direct primary. In labor legislation Nebraska has set the pace in the protection of women against overwork and night work, it has the most comprehensive law governing child labor, some time ago abolished the meeting of the congress in Chicago fellow-servant doctrine and wiped out last week. In addition to paying all the limit of damage recovery for death. Nebraska's regulation of the liquor traffic as a local option high license basis has stood the test for thirty years.

> All these achievements, and many more equally significant, have been won by persistent effort of our own progressive citizenship, in most cases without even semblance of house-top

SECULAR SHOTS AT PULPIT.

Chicago Post: Rev. William D. Grant mys the successful clergyman must make sensational statements to keep his congregation awake. The one he has made have glorying in any nation's misfortune, places, but there was just one thing certainly aroused his present hearers in the heresy court.

tion, and that was that it did not in-St. Louis Globe-Democrat: A minister of the Presbyterian church is said to have declared that Ananias was not punished lems that should keep them busy for summer White House. Nebraska, the for his falsehoods, but this will never be years to come, without stalking over Orange belt in the winter time, is the believed by the still surviving members of ideal summer resort, and possibly had the Ananias club.

tion in behalf of the west might have been successful. Of course, since he needs reforming?

In the meantime the mere reference of Minnetonka and Okoboji in this connection ought to have a bullish effect upon their trade this summer. Think of the distinction of spending your vacation at a place which was

even suggested as the summer capital of the nation. We shall expect to hear that both have broken their records for the season. But presidents, while they do not usually the themselves down to a fixed summer home. and perhaps should not, are not really on vacation all the time they are away from Washington, and it is necessary for them to be comparatively near the

capital, yet a location in the middlewest will be central enough and only a few hours more ride to Washington than from New England.

ing first.

This trade boosting is getting to be something in the nature of circuit riding. St. Joseph boosters were followed by Lincoln boosters, in turn followed by Omaha boosters. The Omaha excursionists will have to put

faith in the adage about the last be-

Portugal is said to be seriously considering abandoning the diplomatic representation to other governments. Herald. If that sort of a reform should be-

Glum Anticipations. Chicago News.

Doubtless the tobacco trust, about hear its fate, appreciates the feelings of the small boy who is commanded to open

wide his mouth for the spring dose of sul-

Education and Cyclone Cellars. Boston Transcript.

The Board of Education of Kansas has rdered that all school houses hereafter built in the state shall be provided with cyclone cellars. This precaution against great winds looks as if the board anticipated a revival of populism.

Big Battle for Small Change,

against a telegraph company before the Public Utilities commission of an extra. charge of 15 cents on a prepaid telegram. Explanations failed to satisfy her, so the case is to be heard. The spirit of the 3-

Socialistic Logic.

New York Tribune. There is a fine touch of socialist logic

Chicago Inter-Ocean: We note that the Fourth Church of Christ, Scientist, of Minneapolis has voted to withdraw from the Watches mother church at Boston and become a Christian Science Reformed church. What is there in Christian Science that

Boston Transcript. Since the muckraking business has begun to peter out. it is announced that the magazines are next going to "play-up" religion, which will assist religion about as much as muck-raking assisted public morality. Religion would better get out an injunction while there is still time.

Baltimore American: Mr. Carnegie's offering to the Cardinal's Jubilee fund was a graceful tribute to the foremost churchman in the country who stands, in all its religious significance, for the idea of international peace. And especially is it a. tribute which Baltimoreans will appreciate as emphasizing the great peace convention held here and as intended to honor their distinguished townsman.

DOMESTIC PLEASANTRIES.

Miss Sweet-We all consider Willie the nower of the family. Mr. Spooner-Yes, he's a blooming nuis-ance.-Boston Transcript.

"I was simply delighted with the way Mamie greeted me yesterday." "Why, she gave you the most distant kind of a salure."

"That's why I appreciated it. It was such cool wave."-Baltimore American.

'Henry, the landlord says he's going to also the rent. "I'll never pay it." "I think he wants to get rid of us.

"Does he? Then of course, I'll pay it. Cleveland Plain Dealer.

Proud Young Father-Isn't he a little eauty? What a pity he has that mark n his upper lip! Proud Young Mother-Why, John his roud Young Mother-Why, John, his istache will hide that.-Chicago Record-

come epidemic, what a bunch of Mrs. Kawler-I suppose Mrs. Blunderly, you see quite a good deal of your new neighbor?

Mrs. Blunderly-Oh yes, Indeed. And I find her very connubial company.-Boston Transcript.

"Yes, the girls gave the bride a commis-"What in the world is that?" "Why they all told her how sorry they

why they all told her how sorry they were ale was going to marry such a man as the coming bridegroom." "That must have hurt her feelings?" "No, it didn't. She knew there wasn't a girl there who wouldn't have given her eyes to get him."-Cleveland Plain Dealer.

THINK HAPPY THOUGHTS.

Detroit Free Press. Think happy thoughts! bink sunshine all the day; Refuse to let the trifling worries stav; Crowd them with thoughts of laughter

from your mind. Think of the good, forget the bad you Baltimore American. An Albany woman has made complaint Think of the sun behind the clouds; the blue And not the gray skies that today you

Think of the kindness, not the meanness shown; The true friends, not the false ones you

case is to be heard. The spirit of the 3-cent tax on tea revolt evidently still springs eternal in the American breast. The sweetness, not the bitterness of life. Think happy, thoughts!

Think happy thoughts! Think always of the best. Think of the ones you love, not those that Royal House of U. B. F. you detest; Think of your victories

CONTEST

Gold Jewelry Is the **Biggest Bargain Event** of the Year. We will gladly "PUT UP" any article in the store -you can bid on it and buy it at YOUR OWN PRICE. Here's an opportunity for

you to purchase appropriate gifts for graduation, engagements, weddings, etc., at a small fraction of their real worth.

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Mrs. L. Kelsey, 210 No. 23 St.-

Mrs. Chas. Woodworth, 2228 Lake

Mrs. S. P. Sweeney, 315 No. 20 St.

Mrs. Porter, Rome Hotel-Silver

Mrs. H. Harding, Hamilton Apts.

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andelber

1522 Farnam St.

Best Farm Paper.

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Brass Jardiniere.

St-Jewel Case.

Picture Frame.

-Gold Bar Pin.

Silk Umbrella

To borrow the language of the physicist, the time is approaching when we should get the heat reaction at Washington.

coronation, you might manage to has the utmost faith in her plan of meander out to the old swimmin' hole training mothers for their household for a little dive or two.

"In the Grip of the Bosses" is the people are educated in far more sciencaption over an editorial in a New tific arts by mail? If, however, Mrs. York paper. The victim is Governor Schoff's plan does not arouse general Dix. How the tide has receded.

created an innovation for those southern republics by getting out of the country and resigning afterward.

Jeff Davis of Arkansas has not attracted enough attention in the senate this session to make him a desira- babes and growing children. That ble man for the Chautauqua drawing list

President Taft's favorite cow is visiting the Wisconsin dairy exhibit. It is to be hoped she will not meet up with Senator La Follette's favorite milker.

A Chicago judge has decided that stealing an umbrella is not a crime. Perhaps not, but on a rainy day it becomes a mighty aggravating thing to the loser.

Tacoma has only had five recall grouchy opponents of the recall try to argue that it invites too many elections. The idea!

virtues of a voting machine. But prise of civic uplift is to succeed. those that sometimes are wrapped with rubber bands are not invincible.

Sure-cure for dandelions: Carefully withdraw the plant, full length, from the ground, then bore small hole in end of root, into which squirt a few shots of carbolic acld. Guaranteed to kill every dandelion so treated.

The welcome to Lincoln extended by Mr. Bryan to Governor Wilson came by long distance wiregram indicating that he was detained in New Wales shows less than 4,000,000 gain, Jersey. If Governor Wilson takes the hint, he will hurry back home.

sumed recognition of responsibility to creasing. those dependent upon us.

irrespective of race, color, cree pation or wealth

the law-makers were either too negli-

gent, or too incompetent to provide.



Mrs. Hannah K. Schoff, president Even if you cannot get to the king's of the National Congress of Mothers, duties by a system of correspondence through the mail. Why not, since enthusiasm at once she must not become discouraged. It has a good deal

Vice President Corral of Mexico to commend it, but it is so novel that people will require a little time to think it over before adopting it. Mrs. Schoff proceeds on the theory

that mothers, especially young mothers, have much to learn in the important matter of how to care for their certainly is a safe basis. It cannot be disputed. Ignorance in these fundamentals is undoubtedly the cause of much sickness, death and misery in that it will before long may be dethe homes of the land, and if the pended on.

mothers' congress has devised a way of meeting the situation without upsetting the home, then let us have it. This scheme, radical as it may seem, is not much different in principle from our country life commission idea, or our campaign of education against tuberculosis and other forms of disease. It may dovetail in with all these modern movements very well elections in ten weeks. Then some when once it is set in action. Certainly any social enterprise that touches the mothers and the homes is worth attention, since the home, as the unit of society, and the mother as The Chicago Evening Post mentions the preceptress of the home, have to "invincible integrity" as one of the be looked out for if the general enter-

England's Population Problem.

land.

An unsatisfactory increase in population figures in the United States be a good many of the enemy. Mr. rive great stimulus from the kindred causes disappointment, but in Eng- Maxim does not offer any suggestion where the population is so as to how this defenseless nation may an arbitration treaty, by which dislargely congested beyond wholesome ward off this oncoming horde of sav- putes may be settled without resort to degrees in the cities, particularly London, it is not so. The people over animus very clearly by saying that there consequently are probably not they are "smarting under the sting of worrying much because in ten years humiliation heaped upon them the entire population for England and

one for the same purpose. As a mat- light than Wisconsin. Nebraska, however, may fearlessly challenge comter of fact it is doing that in the Everglades of Florida. Just as good parison with any state in the union soil, perhaps, is to be had by one for real and substantial legislation for

tary purposes.

arms

A Summer White House.

process of reclamation as by another, the public interest along safe and same and there is no reason why the work lines should be delayed, for it is desirable

to bring under cultivation and open to settlement every acre of land possible. It all goes to produce new wealth, to meet the demands of supply and consumption. It gives additional room for population expansion, affording ship are to be employed in this great new outlets for people seeking them. Much of this land is in middle-west states, 1,000,000 acres being in Illinois alone. This land was obtained from the federal government. It would cost, it is said. \$14,500,000 to the economical aspect of the question. reclaim it. Its reclamation, estimates One of its chief divisions is that of show, would add to the land values of international law, which will be the states the sum of \$20,500,000. Of course, such a mammoth enterthat subject, Prof. James Brown prise as this contemplates immense resources, and the government may based upon the "correct and definite

Yellowest of Yellow Perils. Just as some of the peace-loving present huge expenditures for milipeople of this country had flattered themselves into believing that their sweet songs of international arbitration had lulled to sleep the last of the yellow perils, Hudson Maxim bursts whole movement is one of education. forth with a new one, the worst we It will progress as rapidly as the peohave yet beheld. Says he: There are in China, and over the vast neighboring areas, uncounted myriads needing but a leader and arms and training to hurl themselves upon western civilization and smite us hip and thigh as vancement and of them any one can their ancestors smote ours in years agone. These people are now awakening. They are training. They are arming. The great yellow storm cloud is slowly rising

along the whole eastern sky, and it is tions of the earth. It is simply lookonly a question of time when the storm ing at the facts of human nature as will burst upon the Occident with unprecedented fury. "Uncounted myriads!" That must for world-peace will, undoubtedly, de-

age orientals, but he explains their

through the centuries.

Aha! Revenge at last! Quick, or because in London it shows less then, to arms! This land of the free to looking out for the judicious adthan three-quarters of a million gain, and home of the brave must not be vertising of the west's superior reor because in London county it shows taken, not now when it has been thus sources and advantages, and in his According to some statistics gath- an actual loss. It is the size of Lon- grossly deceived by a people to whom effort to persuade President Taft to ered in New York, out of 10,000 per- don's army of unemployed that most it had been offering every courtesy in take up his summer residence in either because. It was said, his stature of five sons dying at an age over twenty-five perplexes. The city and the county the hope of courting a staunch, true lowa or Minnesota he has done that feet six would not stretch the wrinkles years only 3,351, or about one-third, and the kingdom, for that matter, friendship. And so they have trifled which the people of the west will left any estates whatever, and of have no need to devise ways and with our affections! All they need naturally appreciate. Of course, the these only \$\$4 left property valued means of increasing population so now to hurl themselves upon us and president, having already arranged Dr. Frederick F. Johnson, missionary over \$5,000. This is not very compli- long as there is not enough employ- wipe us off the map is "a leader and for his summer home elsewhere, could Lishop of South Dakota, to succeed Dr. mantary to our vaunted habits of ment for the population and the per- arms and training." They must have not conveniently accept Senator Kenthrift and forestight, and our pre- centage of dependence goes on in- the money all in hand. Perhaps that yon's invitation, but he was impressed is what China wanted with that \$50,- with it, nevertheless.

A while ago England inaugurated 000,000 loan in which we so keenly The Iowa statesman asked the pres- stockings.

ing" as calculated to increase the productive efficiency of working people and thus to deprive them of the opportunity of rising above the ranks of their trade. Then if they are left ignorant, untrained and inefficient their chances of advancement and elevation are much greater. That is the counsel of bedlam,

Methods of Carnegie Endowment.

A Real Trust Neglected. From Dr. Nicholas Murray Butler's San Francisco Chronicie. explanation of the methods of the The retailers' combinations, such as the Carnegie peace endowment, it is evilumber combinations, now attacked, are universally execrated and will find no dedent that the best science and scholarfenders. They thrive by compulsion and boycott, which will in the end damn all movement to promote world peace. who practice them. While resting upon the "moral con-But in attacking the lumber trust th government passed by the strongest, most sciousness of mankind," Mr. Carneuniversal and most hateful of all. When gie's proposition does not ignore the the government attacks the retail plumbers stern and basic element of justice, or trust it will be up against the real thing. **People and Events** handled by the eminent authority on

Scott, whose deliberations will be The fact that Washington girls spurn free ice cream in hot weather affords a good not be able to get to it at once, but idea of international justice." Then reason for another searching committee from the democratic house of representa there is the division of economics, tives. which will look out for the effect of

The highflying youth from St. Louis who public opinion and "preferential taraveraged forty drinks a day and three iffs and economical aspects of the score cigarettes, cannot be placed in the Pittsburg class so long as he escapes Matteawan.

Byron swam the Hellespont without ex-There is more than mere sentiment ceeding the speed limit. But he did not in this peace movement. At least it have a highpower auto nor a watchful

cop to hit him for \$25 and trimmings. is not exclusive or controlling. The A level headed lowa woman who knows a good thing on sight, opposes war on the ground that "men are too scarce to have ple come to understand and appreciate them shot to pieces." That should spur and value world peace and no faster. one lows gallant to the speaking point. All these elements that are thrown Wagons loaded with bottles labeled into it will work together for its ad-Soda Water," but suspiciously like beer, holdly cross the line from the wet into the section of Kansas City, challenging be disregarded less easily than the the indignation of those who haven't the money factor. Nor is that a reflec- price of a case handy.

An Indiana woman, five times married tion upon the sordidness of the naand as many times divorced, says she is going to keep right on that line of business until she finds the right man. Some they are. In the meantime this quest day there will be a novel funeral in the Hoosier state with a fine procession of castoffs exchanging experiences in the

effort to enlist the great nations in Why are tall men more frequently chosen bishops than men of average height? All other qualifications being equal, why should the longer reach capture the cro nler? Clergymen of average stature are welcome to puzzle over the questions. The fact remains that the long reach gets the prize in most cases. The printed photo Senator Kenyon of Iowa is an engraph of the four Catholic bishops of the terprising westerner and a good man Dubuque archdiocese who conferred in to have in Washington when it comes Omaha last Tuesday show three men in the grt foot class and one a shade above the average. A score of years ago a St Louis clergyman well qualified for promotion was generally considered the favorite for a bishopric, but lost the prize out of a cappa magna. That a preference for tall men obtains in Missouri Episcopa circles is clearly shown by the choice of Tuttle, the venerable bishop emeritus of that state." Dr. Johnson is the tallest man in the Episcopal house of bishops of 107 members, standing six feet six in his

vocational train and not your fallures here. The smile that pleased and not the hurtful The kindly word and not the harsh word

10 of the best local, colored amateurs and out-of-town talent will compete for prizes. Songs and dances, sketches and and out-of-town talent will compete for prizes. Songs and dances, sketches and monologues, complete with fun and laugh-ter. Monday Evening, May 29, 8:30 p. m. Music by Prof. Desdune. Admission 50c. WASHINGTON HALL. spoken The prom se kept and not the promise broken that you have known and not

The good the bad, The happy days that were and not the sad; Think of the rose and not the withered

TWENTIETH CENTURY FARMER flowe The beauty of the rainbow, not the shower Think happy thoughts!



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