

MR. MOXEY IS ON THE STAND, TELLS ABOUT THE BANK BOOKS

Some Now Believe the Government Will Close Its Case Very Soon.

CHECKS OF DEFENDANTS ARE PUT IN EVIDENCE

Effort is to Show That They Got Out Large Sums of Money When Bank Was in Bad Condition.

Edward P. Moxey, bank examiner, expert accountant and since the failure of the First National Bank of Asheville twelve years ago, employed by the government in connection with the criminal cases against Messrs. Brees, Penland and Dickerson, charged with conspiracy to defraud the bank, went on the stand for the government this afternoon in the trial of the cases before Judge Newman.

Albert Brown Testifies. The trial of the cases began this morning when Albert Brown on the stand for the government. Mr. Brown was bookkeeper for the bank at the time of its failure. The witness was shown checks and identified them as passing through the bank. There were several batches of these checks, drawn by Brees, others by Penland and still others by Dickerson during the years 1895, 1896 and up to the close of the bank July, 1897.

MIMIC WAR GAME ON LARGE SCALE

Invasion Air Defence Maneuvers, in Massachusetts, Will Continue for Seven Days.

WILL COST HALF A MILLION; 16,000 WILL PARTICIPATE

Certain New Tactical Theories and Methods of Transporting Troops, Etc., Will Be Tested.

Boston, Mass., Aug. 12.—War is to be declared against the United States by a foreign power tomorrow night and promptly at midnight the hostile invaders will cut off all telegraph and telephone connection in the attacked territory, somewhere between Boston and the southern state line.

The mimic invasion and defense, which both will be made as realistic as possible under existing conditions, and will serve several purposes. The pretense war will involve more than 16,000 men, mostly members of the state militia of New York, Connecticut and Massachusetts, with a few men from Washington, D. C., and a small force of regular cavalry, to increase the available cavalry force required in the maneuvers.

Another object of the mimic war will be the testing of certain new theories of a tactical nature and of certain methods of moving, handling, provisioning and transporting large bodies of troops and war material under conditions which would prevail in case of actual war.

The Plans. In answer to the call of the Federal government the state of Massachusetts will mobilize a force of about 7,000 state troops on short notice and rush them, fully equipped and armed, and provided with United States army (Continued on page 1.)

Thaw Is Remanded to Matteawan As Insane, by Justice Isaac N. Mills



MRS. WILLY THAW

DAVID N. CARVALLO ON THE STAND.

Decision Handed Down Today Dismisses Writ of Habeas Corpus Under Which Slayer of Stanford White Sought to Secure His Release From Asylum for Criminal Insane.

White Plains, N. Y., Aug. 12.—The state of New York won a complete victory over Harry K. Thaw today, when Justice Isaac N. Mills decided that the slayer of Stanford White is still insane, dismissed the writ of habeas corpus by which Thaw sought his release, and sent him back to the criminal insane asylum at Matteawan. Not one of the many contentions made by Thaw during his recent hearing were sustained.

He is however, somewhat better off than before, because Justice Mills in his decision suggests—and the suggestion amounts practically to an order—that Thaw at Matteawan be restored to the privileges he enjoyed during the first three months of his stay there, and that his mother be allowed all possible privileges and be treated with every consideration when she calls to see him.

Thaw Hears the News. Thaw received the news of the failure of his second attempt to obtain a discharge from Matteawan with slight display of emotion. His manner indicated that he had expected an adverse decision.

The information was brought to him first in his cell in the local jail. Thaw read the court's opinion without comment until he came to the following sentence: "If those beliefs constitute delusions in his mind when he committed homicide, they are the same now."

That's not so," he said, and marked the lines with a pencil.

Is Still Cool. Thaw took the decision coolly. In concluding that Thaw is now insane, the court gives first importance to his family and childhood history. Thaw evidently made a bad impression on the judge by his actions both on and off the stand. The court said it was more convinced by the testimony of alienists called by the state than by that of the prisoner's experts.

Thaw took the decision coolly. In concluding that Thaw is now insane, the court gives first importance to his family and childhood history. Thaw evidently made a bad impression on the judge by his actions both on and off the stand. The court said it was more convinced by the testimony of alienists called by the state than by that of the prisoner's experts.

Thaw took the decision coolly. In concluding that Thaw is now insane, the court gives first importance to his family and childhood history. Thaw evidently made a bad impression on the judge by his actions both on and off the stand. The court said it was more convinced by the testimony of alienists called by the state than by that of the prisoner's experts.

Thaw took the decision coolly. In concluding that Thaw is now insane, the court gives first importance to his family and childhood history. Thaw evidently made a bad impression on the judge by his actions both on and off the stand. The court said it was more convinced by the testimony of alienists called by the state than by that of the prisoner's experts.

Thaw took the decision coolly. In concluding that Thaw is now insane, the court gives first importance to his family and childhood history. Thaw evidently made a bad impression on the judge by his actions both on and off the stand. The court said it was more convinced by the testimony of alienists called by the state than by that of the prisoner's experts.

Thaw took the decision coolly. In concluding that Thaw is now insane, the court gives first importance to his family and childhood history. Thaw evidently made a bad impression on the judge by his actions both on and off the stand. The court said it was more convinced by the testimony of alienists called by the state than by that of the prisoner's experts.

Thaw took the decision coolly. In concluding that Thaw is now insane, the court gives first importance to his family and childhood history. Thaw evidently made a bad impression on the judge by his actions both on and off the stand. The court said it was more convinced by the testimony of alienists called by the state than by that of the prisoner's experts.

WHOM ARE YOU SUPPORTING IN GAZETTE-NEWS CONTEST?

EVIDENCE CLOSED IN SUTTON CASE

Medical Expert Testifies That Sutton Could not Have Fired the Fatal Bullet.

SCENE OF THE KILLING IS AGAIN RE-ENACTED

And Adams, as Sutton, Pulls Trigger, but the Medical Man Remains Unconvinced.

Annapolis, Aug. 12.—After Dr. E. M. Schaeffer of Washington as an expert testified at the naval court of inquiry in the case of the death of Lieutenant Sutton that Sutton could not have shot himself, Lieutenant Adams again pantomimed the shooting of Lieutenant Sutton, the scene being re-enacted on the floor of the court room, with Lieutenants Utley and Osterman and Sergeant De Hart placing themselves upon him.

Lieutenant Adams pulled the trigger of a service revolver but Dr. Schaeffer declared that he could not thus have inflicted a wound duplicating the one which killed Lieutenant Sutton. This closed the testimony and adjournment was taken until tomorrow.

A gruesome feature was yesterday afternoon introduced into the proceedings when the legal representative of Mrs. Sutton, mother of the dead lieutenant, brought to the witness stand Dr. Schaeffer. The people in the room crowded around the table and gazed with the keenest interest at the doctor while he placed upon the table glistening skulls to the exterior of one of which he affixed in little lumps of wax, steel rods intended to indicate to the members of the court the course of the bullet in the skull of Lieutenant Sutton. Lieutenant Adams had given a dramatic illustration of the position of Lieutenant Sutton when the fatal shot was fired. The doctor was equally dramatic as he stretched himself upon the table and showed how it was quite impossible that Lieutenant Sutton could ever have fired the shot and put an end to his life.

The Doctor's Theory. One of the points upon which the witness dwelt with special stress was the impossibility of Lieutenant Sutton's being able, under the circumstances described in the testimony, to exert sufficient pull on the trigger of the revolver to bring down the hammer of the weapon upon the cartridge.

Dr. Schaeffer stated that he had had much experience in the examination of gunshot wounds, and had performed many autopsies upon bodies upon which such wounds appeared.

Illustrating upon himself, the witness assumed on the table the position in which Lieutenant Sutton was described by the testimony, to show that a man of Sutton's age might have done what one of Dr. Schaeffer's could not.

Sergeant Todd, who was on the stand during the afternoon session, said he had seen Lieutenant Roelker pass the guard room. After the shooting, he said Lieutenant Roelker came into the guard room and said: "My God, Archie, I've been shot."

The witness heard four shots fired. He acknowledged having said he had often wondered why he was not summoned.

Mr. Birney took the witness over the events of the night. The running fight, he said, was going from the vicinity of the camp toward the bridge over College creek. After the shooting he saw Lieutenants Adams and Osterman in the room of the officer of the day.

In response to questions of Mr. Davis, Todd said that it was Lieutenant Adams who asked the witness "if he had any spare guns," saying there was trouble in the camp and he wanted them for protection.

Todd said he did not hear until next morning that Lieutenant Sutton had been shot. He was not asked by anyone if he knew anything whatever of the trouble. The first time, witness said, that any one had told him that any information he had was wanted, was when a newspaper man did so at Wakefield, Mass., Tuesday.

You Will Have to Vote for Somebody, so You Might as Well Look 'Em Over and Pick One.

TRUST NOT APPEARANCES FOR THEY OFTEN DECEIVE

Many of the Candidates "Playing Possum"—A Leaf from Contest Man's Experience Book.

Another Bonus Offer.

All candidates bringing or sending to the Gazette-News office five yearly RENEWAL subscriptions to The Gazette-News (\$25) to be delivered by carrier, or six yearly RENEWAL subscriptions to The Gazette-News to be delivered by mail between Monday, August 9, and midnight Saturday, August 21, will be awarded a voting certificate for 50,000 votes in addition to the regular scale. One two-year renewal will be counted as two yearly renewals. This is positively the largest offer that will be made on renewal subscriptions during the entire contest, and each candidate may secure as many of these as possible. In order to be absolutely fair and impartial, this offer will include all yearly RENEWAL business heretofore sent in.

Bonus Offer on New Subscriptions.

Every candidate bringing or sending to The Gazette-News office five new yearly subscriptions to The Gazette-News, \$25, to be delivered by carrier, or six new yearly subscriptions to The Gazette-News, \$24, to be delivered by mail, between Wednesday, August 11, and midnight Wednesday, August 25, will be awarded a voting certificate for 40,000 votes additional to the regular scale. One two-year subscription will be counted as two yearly subscriptions, and each candidate may secure as many of these clubs as possible.

About the Gazette-News \$6500 Contest

Have you heard anything about this great \$6500 contest? Has anyone asked you for a subscription? If not you are certainly a "mighty" unlucky individual. If you have not been approached by one of the 250 hustlers in the race it is either because you have not been located by any of them or else none of them considers you as a friend. And that would be an awful state of affairs, as those 250 are extremely popular people, and not to be on their list means that you are either a new arrival, or else you certainly are a dead one.

These five candidates are out to rake the state with a fine-tooth comb and there is absolutely no chance for Mr. Citizen to escape, so you might as well make up your mind, now, which one of your friends you are going to support and just drop in The Gazette-News office and pay a year's subscription and have the votes placed to his or her credit.

Now think it over. There sure is a likely bunch of our best people represented in the line-up, both from the city and the outside. You can take it from the Contest Man that there are quite a few of the apparently "down and out" ones who are simply giving a perfect imitation of the (Continued on page 1.)

Prominent Speakers Heard.

Spokane, Wash., Aug. 12.—Though this was the fourth day of the National Irrigation congress the interest in the proceedings was apparently undiminished on the part of the many delegates in attendance. The program arranged for the morning and afternoon sessions was one of the best of the entire convention. Foremost among the scheduled speakers and their topics were the following: "Irrigation from the National Point of View," Senator Thomas A. Carter of Montana; "Soil Utilization," James Wilson, Secretary of Agriculture; "Apples and Alfalfa," Alva Adams, former Governor of Colorado; "Scope and Purpose of the Irrigation Investigations of the United States Office of Experiment Stations," Dr. A. C. True, director, office of experiment stations, "Irrigation in Washington," Prof. O. L. Waller, irrigation expert, United States Department of Agriculture; "Irrigation and Irrigation Development in Canada," J. S. Dennis, of the Canadian Pacific Railway company.

THE WEATHER.

Forecast until 8 p. m. Friday for Asheville and vicinity: Partly cloudy, with occasional showers tonight and Friday.

ARAPAHOE INJURED OFF N. C. COAST

The Clyde Liner Breaks a Shaft—Drifts to Soundings, and Will Be Towed in.

Beaufort, N. C., Aug. 12.—The Clyde Line steamship Arapahoe, for Jacksonville and Savannah from New York, was still adrift off Hatteras lighthouse at 4 o'clock this morning but was in a safe condition. Several steamers are on their way to the disabled ship. The weather is fine and the northern gale has moderated. No fears are entertained for the vessel's safety or for the lives of those aboard her.

Later intelligence is that the Arapahoe is 20 miles southwest of Diamond Shoals lighthouse, and anchored in 21 fathoms of water. The vessel will require new stern bearings. The Arapahoe was in communication today with the Iroquois and the Rio Grande, which took station close by, and will wait for the steamer Iroquois and the revenue cutter to assist her into port this afternoon.

The Arapahoe broke her tail shaft yesterday afternoon at 3:50 o'clock and reported by wireless at this station at 4:50 o'clock that she was drifting helplessly.

The ship at the time that she flashed her "C. Q. D." was 21 miles southwest of Diamond Shoals lighthouse. The wind was strong from the northeast and was drifting the ship in shore. She is heavily loaded and has quite a number of passengers on board.

HUSBANDS STILL HAVE SOME FEW PRIVILEGES

May Swear at Their Wives, Come Home Drunk, Threaten to Leave, Says Chicago Judge.

Chicago, Aug. 12.—Husbands may swear at their wives with impunity from arrest, according to the opinion of Municipal Judge Gemmill.

Furthermore, he believes that a wife has no redress in court if her husband has threatened to desert her. If the husband returns home intoxicated the wife may not have him arrested unless he beats her.

The judge emphasized his position by refusing to issue a warrant to a wife who told the court she believed her husband intended to leave her and that she wished him arrested.

AMERICAN S. A. MAN'S TROUBLES

Raleigh Mayor Seems to Win Second Fall With Winchester—Some Evidence from Asheville.

ILLICIT LIQUOR MAKING IS STEADILY INCREASING

Blind Tiger Cases in Raleigh—Hard to Get Convictions in Wake Superior Court.

GAZETTE-NEWS BUREAU Chamber of Commerce Rooms, 210 South Main St., Asheville, N. C.

Following a conference among Mayor Wynne, Aldermen Joseph G. Brown and Sherwood Upchurch, City Attorney Walter Clark, Jr., and Captain Frank Winchester, an American Salvation Army worker, the latter was officially notified that he must not hold any more street preaching services or solicit funds for his work in Raleigh until he has explained charges that were read to him, to the satisfaction of the mayor and aldermen.

It was in Winchester's case that J. W. Bailey, an attorney for Winchester and wife, declared in a meeting of the city aldermen when resisting a revocation of privilege of street services and fine for preaching in defiance of the order, that when the people of Raleigh elevated J. S. Wynne to the mayoralty they did not put in his hands the keys of heaven and that when they made Alex. Stronach police justice they did not intend creating a second Pontius Pilate. At that time the aldermen voted to allow the Winchester to carry on their work in Raleigh. Mayor Wynne yielded as gracefully as he could but gave notice that they would probably hear from him later. Yesterday he called the aldermanic committee together and laid before them a voluminous correspondence with the authorities of Norfolk, Asheville, Greensboro, Washington and Philadelphia bearing on the work of the Winchester in those places. Chief of Police C. G. Kiser of Norfolk, in writing a deal of evidence against the Winchester, expressed his conviction that they are "impsters of the worst sort." The police of Asheville wrote very disparagingly of their work there and the Falk Music company of Asheville wrote Chief of Police Stell to arrest the Winchester here for obtaining a bass drum there under false pretenses. They had signed a contract not to take the drum out of Asheville until it was paid for. In the face of this they have the drum in Raleigh now. There were bad records indicated for them (Continued on page 4)

MURDERED AND ROBBED AGENT OF RAILROAD

But Did not Take the Company's Cash—Dogs on Assassin's Trail.

Louisville, Ky., Aug. 12.—J. A. Engelman, night agent of the Queen & Crescent railroad at King's Mountain, Ky., was assassinated in the office of the company some time after midnight.

His jewelry was taken and his pockets were rifled, but a considerable sum of money belonging to the railroad company was left untouched in a drawer.

Engelman evidently was dosing on his hair between trains, when a shot was fired through an open window, striking him in the back of the head. The body was found by a night constable at 2 o'clock. The sheriff put bloodhounds on the trail.

PUT UP DESPERATE FIGHT AGAINST FEDERAL OFFICERS

John Lloyd, Believed to Be One of Counterfeiter Gang, Caught in Ohio.

FIRE IN TUNNEL IS STILL RAGING

Damage to Southern's Tunnel in Lynchburg Is Estimated at \$100,000.

Lynchburg, Aug. 12.—Spreading rapidly, and with a portion of Rivermont avenue caving in and firemen overcome in the fight against the flames, the fire which broke out yesterday in the railway tunnel here raged fiercely today. The damage to the tunnel is estimated at upwards of \$100,000.

Over 300 feet of the construction seemed doomed at noon, and nearly 150 feet reaching up to the street car tracks had fallen in. The fire is gradually eating its way back into tunnel. Several holes will be drilled this afternoon into the top of the tunnel to permit flooding the tunnel.

Southern railway officials arrived from Washington today and looked over the situation.

MURDERED AND ROBBED AGENT OF RAILROAD

But Did not Take the Company's Cash—Dogs on Assassin's Trail.

Louisville, Ky., Aug. 12.—J. A. Engelman, night agent of the Queen & Crescent railroad at King's Mountain, Ky., was assassinated in the office of the company some time after midnight.

His jewelry was taken and his pockets were rifled, but a considerable sum of money belonging to the railroad company was left untouched in a drawer.

Engelman evidently was dosing on his hair between trains, when a shot was fired through an open window, striking him in the back of the head. The body was found by a night constable at 2 o'clock. The sheriff put bloodhounds on the trail.

PUT UP DESPERATE FIGHT AGAINST FEDERAL OFFICERS

John Lloyd, Believed to Be One of Counterfeiter Gang, Caught in Ohio.

Gallipolis, O., Aug. 12.—After putting up a desperate fight on his shanty boat on the Ohio river last night, John Lloyd, believed to belong to a gang of counterfeiters, was captured by government officers.

A counterfeit's outfit and 150 spurious five-dollar gold pieces were found in the boat.

Nomination Ballot

I hereby nominate M. Address District My Name is M Address Profession Date Hour

This nomination ballot, when properly filled out, will count for 1,000 votes. Only one nomination ballot will be credited to a candidate.

Under no circumstances will the name of anyone making a nomination be divulged.

Win a \$65 Prize \$65 COLUMBIA GRAPHOPHONE NOMINATION PRIZE

This splendid prize will be given to the person who nominates the winner of the Bulck Touring Car. The Gazette-News determined to overlook no one in this big proposition, has decided to give a valuable prize to the person who nominates the successful candidate. Clip out the blank published in this issue, fill in properly and send to the Contest Department. You may nominate yourself. If you win the first grand prize, you will also be awarded the \$65 Columbia. But you need not necessarily be a contestant to win this prize. If you are fortunate enough to have sent in the name of the winner of the Bulck Touring Car, the talking machine will be given you at the close of the contest. Make as many nominations as you like. It costs you nothing to fill out the nomination blank and send it to the Contest Department of the Gazette-News. If you do not send in your own name you may win a prize anyhow. This paper feels that this is a magnificent offer and should result in the selection of none but the most active and aggressive candidates. Try to name a winner.

The Columbia was purchased from and guaranteed by TALK'S MUSIC HOUSE.

Jack Johnson Signs. Chicago, Aug. 12.—(Bulletin)—Jack Johnson has signed articles to fight James J. Jeffries.