

THE BEST SALE EVER HELD IN ASHEVILLE

Hundreds of women say every day that this is the best sale ever held in Asheville.

Here in Summers' Old Stand

Can be found plenty of goods to select from—every article is marked down, and is a real bargain, not one dissatisfied customer do we know of. As the sale goes on, the crowds are getting larger, and the bargains better.

It's The Peerless-Fashion Way to do What we Promise, and we do

Tuesday Shoppers will find some wonderful bargains in this store.

IT PAYS TO INVESTIGATE

- One case of heavy Outing Flannel, for .7c yd
- One case of soft finish Bleaching, 36-in. wide 7c value, for 5 1-2c yd
- One case of Hill Bleaching soft finished, 12 1-2c value, for 9c yd
- One case of soft finished Cambric, 12 1-2c value, for 9c yd
- One case of 36-inch Percales, dark and light colors, 12 1-2c values, for 8 1-2c yd
- One case of Flannel-ettes, pretty patterns, 12 1-2c value, for 9c yd
- One case of Galatea Cloth, pretty patterns, 15c values, for 11c yd
- One case of best grade Apron Checks and Dress Gingham, 10c values, for 7 1-2c yd
- One case of Reversible Curtain Etamine, pretty patterns, 25c values, for 18c yd
- One lot of White Waists and Pique, 25c and 35c values, for 19c yd
- Ten pieces India Linen, pretty sheer, 15c values, for 11c yd
- Three pieces 2-yards wide Linen Sheeting, \$1 values, for 75c yd
- 15c Pillow Cases 11c
- 20c Pillow Cases 15c
- 55c Bed Sheets 44c
- 80c Bed Sheets 59c
- 17c Huck Towels, 12 1-2c
- 50c Huck Towels 38c
- 50c Damask Towels 38c
- 75c Damask Towels 49c
- \$3.50 Wool Blankets \$2.73
- \$1 Cotton Blankets .75c
- \$3 Half Wool Blankets \$2.25
- \$2 Indian Blankets \$1.50
- \$3.75 Satin Quilts \$2.79
- \$2 Satin Quilts \$1.50
- \$1.25 Ladies' Flannel Gowns 89c
- \$1.75 Ladies' Flannel Kimonos \$1.39
- \$3 Ladies' Wool Sweaters \$2.25
- \$5 to \$7.50 Trimmed Hats \$2.98
- \$5 Beaver Hats \$2.10
- \$7.50 Beaver Hats \$3.75

All Ladies' Coats, Suits, Dresses, Skirts, furs at One-Third Off.

Peerless-Fashion Stores Co.

40 and 42 Patton Avenue

ELMER PENLAND TRIED ON RETAILING CHARGE

Appeals from Three Months Sentence—Several Other Cases in Police Court.

Elmer Penland was given a hearing in police court this morning on the charge of procuring whiskey for Zeb Jones, upon which he was found guilty and sentenced to serve a term of three months on the county roads. Appeal was taken by the defendant and the appeal bond was fixed at \$20.

The prosecuting witness, Zeb Jones, stated to the court that he had given the defendant 75 cents last Saturday to get him some whiskey, and that the latter had brought him a pint. This evidence was corroborated by Patrolman Wyatt, who said that he had heard a fuss over a whiskey sale while concealed behind the Greek restaurant on College street and had recognized Jones. He had then gone around to find out who else it was and Penland had come out drunk. He had then questioned Jones about the matter and the latter had admitted that he had purchased the whiskey from the defendant.

The defendant, when questioned this morning, stated that he did not remember whether he had sold the whiskey or not, as he was drunk, but that he remembered buying it. He knew the man who had sold it to him but could not remember his name.

There was another retailing case docketed, in which Alf Snyder was charged with selling whiskey to John Brown, but it was continued until Wednesday morning in order that the defendant might have a chance to secure several witnesses that he said he would like to have summoned.

There were a number of other cases on the docket, mostly of a minor nature, including several gambling cases, a few "drunks" and several assaults. All of these were disposed of with little delay.

There were three cases in all, six of these having to do with some white men who were caught early Sunday morning in a dice game in a room in the Franklin hotel. One of these defendants was let off upon the payment of the costs, while the others were taxed with \$5 and the costs each.

The other two cases were against two negroes who were caught similarly engaged last week and fined \$5 and the costs each.

There were only four "drunks" and the heaviest fine among all of them was a penalty of \$5 and the costs, the others getting off with \$2 and the costs each.

Harrison Gibson, who was charged with impersonating a policeman by wearing a helmet on Back square and West College streets, was found not guilty, as it developed that the whole affair was the result of a little "horseplay" on the part of the heck drivers.

In the assault case, Dr. Charles L. Minor was fined \$10 and the costs for an assault on Harry Franks, while the latter was found guilty of an assault on Dr. Minor.

Bertie Reed, a colored woman, was found guilty of an assault with a deadly weapon on another colored woman, but as there was no damage done and the characters of each seemed about the same, the judgment of the court was that the defendant pay \$5 and the costs.

MANY LOCAL LAWYERS HAVE GONE TO RALEIGH

Numerous Cases from This Section to Be Argued in Supreme Court.

The civil cases which were on the calendar of Superior court for this week will not be heard, since many of the local attorneys have gone to Raleigh, where tomorrow will be taken up in the Supreme court cases appealed from the Fifteenth judicial district. On this account only three weeks of the four weeks term were taken up, the remaining cases on the calendar being postponed to the next civil term, which begins January 22.

Several interesting cases were appealed from this district, among them the following: State against P. C. Watkins, sentenced to 18 months on the roads by Judge Webb, defendant appealed; John R. and Fanny V. Arthur vs. Phillip S. Henry, in which the defendant appealed from a judgment of \$4400 in favor of the plaintiffs, on account of the operations of a stone quarry which, they alleged, damaged their property; Gus Hammet vs. Southern railway, damage case, non-suited, in which plaintiff appealed; A. M. Fisher vs. Champion Fibre company, in which the defendant appeals from a judgment of \$1150 for personal injury; Charles Buckner vs. South and Western railroad and Carolina Construction company, in which the plaintiff appealed from an order of nonsuit, having sued for \$20,000 for cruelty and false imprisonment; Lane vs. Russell, and old and complicated case involving the title to certain lands on the French Broad river; Patillo vs. Lyle, another complicated land case; city of Asheville vs. W. J. Staples, in which the defendant was fined \$25 for failure to comply with the bill-board ordinance, was acquitted in Superior court and the city appealed.

Other cases going up are: Haynie vs. North Carolina Power company, Worley vs. Logging company, Parker vs. Vanderbilt, Carr vs. Southern railway, Brasile vs. Barytes company, Luther vs. Luther, and Smith vs. Miller.

The jurors summoned for this week of Superior court, received no official notice that court would adjourn, so it seemed, and this morning they came in and proved their attendance.

TOBACCO CASE APPEAL HEARD BY HIGH COURT

Decision Is Expected Monday on Petition of the Dependents.

Washington, Dec. 4.—The Supreme court of the United States took under consideration today the application of the Leaf Tobacco Board of Trade of New York to have that tribunal review the reorganization plan of the American Tobacco company, which was stated that the attorneys general of Virginia, North Carolina and South Carolina joined in the request for a consideration by the Supreme court of the reorganization plan.

The petition asked that the United States Circuit court for southern New York be required to vacate its recent decree approving the reorganization of the American Tobacco company which had been directed by the Supreme court, in its opinion last May, to disintegrate. Another prayer was that the Circuit court be directed to send the case to the Supreme court for review, and to allow the board to intervene as a party to the suit which resulted in the dissolution decree of the Supreme court last May.

Says Decree Is Not Complied With.

In support of the petition, a brief had been prepared for submission to the court. In this brief Mr. Levy, and his associate, Benjamin N. Cardoso, argued that the decree of the Circuit court was not in conformity with the Supreme court's mandate in the tobacco case. The court was told in the brief that the attorney general of the United States had announced that he would not appeal from the Circuit court decree.

The repugnance between the decree and the mandate must therefore remain uncorrected," the attorneys said, "the decision of this court, designed to remedy a great public wrong, must be frustrated and the beneficent results that should have followed from it be forfeited, unless at the instance of a citizen, whose interests are vitally affected, this court shall see to it that its commands are made effective."

The foremost objection urged to the reorganization plan was that it resulted in the division of the stock of the several corporations, into which the combination was divided, among the common stockholders of the American Tobacco company, "with the result that the very men who have been adjudged by this court to be illegal conspirators are maintained and confirmed in their ownership and control." It was contended that the common stockholders should be prohibited from obtaining or retaining control over the business.

Do Not Desire Conciliation.

"We do not ask that the defendants be deprived of anything which they now own," the brief continued. "We do not ask that a single share now belonging to them be surrendered. We merely ask that when the tobacco company is sold to the shareholders which it must be, it be required to do so in such a way as to prevent the conspiracy from being perpetuated. If the court may compel the chief conspirator defendant to break up the combination by dividing up the combination, it may compel the individual defendants to break up the combination, by refraining from buying these shares." The attorneys general of Virginia, North Carolina and South Carolina are quoted as saying that the reorganization proposed, in substance, would effect a change in the method of bookkeeping and nothing more.

ELKS' SOLEMN RITUAL FOR DEPARTED BROTHERS

Impressive Ceremonies, Addresses and Appropriate Music at Auditorium.

The memorial exercises of the Asheville lodge of Elks were held yesterday afternoon in the Auditorium, at which time touching addresses and a pleasing musical program were heard. The Auditorium had been tastefully decorated for the occasion with ferns and potted plants, and on the rear of the stage a large elk's head was elevated, on which 15 lights were burning; these lights were snuffed out as the names of the departed members were read. The members of the grand lodge were seated on the stage, while the front seats of the building were reserved for the members of the Asheville lodge.

The eulogy to the members who have died since the founding of the lodge was delivered by Robert R. Reynolds in a most impressive manner, and the memorial address was made by F. W. Thomas. James Westall rendered a violin solo, and other musical numbers were rendered by Miss Minnie Westall, Mrs. O. C. Hamilton, J. G. Sullenkemper, Mrs. Julia Burdick and Judge Thomas A. Jones.

In beginning his address Mr. Reynolds said that it was with difficulty that he restrained his emotions. He declared that the members remember well those who have departed, and not only of them, but of their widows and children; and he said that the lodge is grateful that not one member has died during the past year.

Mr. Thomas remarked that throughout the land services were being held in memory of the dead; that this was well as it brought the members of the order together, and brought to their attention the more serious things of life. He referred to the principles of the order, especially to charity, which he said, was carried out by the Elks in way which did not advertise itself. Justice, too, he stated, was the application of the order, as considered by the Elks. The other principles of the order he gave as brotherly love and fidelity, the latter demanding that the members must be faithful to their sense of duty and to their private and public obligations.

O. H. M'KAIN

Son of Mrs. Annie McKain of Blomere Dies at Black Springs, Wyo., of Appendicitis.

News has been received here from Black Springs, Wyo., of the death of O. H. McKain, the 21 year old son of Mrs. Annie McKain of Blomere. He died of appendicitis.

Surviving are the mother, two brothers, Edna and Clarence, four sisters, Katherine, Alice, Claire and Lucy.

The deceased had been in the Rocky mountains for the past four months taking pictures for a moving picture company.

Joseph B. Brandt has returned to Asheville after a two month's stay in Philadelphia and other places.

\$14 For Women and Misses Coat Suits Worth from **\$22.50, \$25 and \$27.50** **\$14**

This week we will sell every Suit in the house—all this season's best models—the newest materials and colors—beautifully tailored are these Suits—formerly priced from \$22.50, \$25 and \$27.50—this week

\$7.25 For Women's and Misses' Serge and Panama Dresses Worth \$11, \$12.50 and \$15 **\$7.25**

This week we offer Fifty Serge and Panama Dresses, the season's best styles and shades to select from. Some high waist line Skirts with side effect reverses on waist, worth \$10, \$12.50 and \$15, this week selling

\$7.25

Fur Coats, Fur Sets, Separate Pieces of Furs, Long Coats, Separate Skirts, all join in making this a busy week for our Suit Section.

Big Reduction Throughout

"THE STORE THAT SAVES YOU MONEY"

The Asheville Dry Goods Co.

ASHEVILLE, N. C.

STREAMERS COLLIDE IN CHESAPEAKE BAY

The Sterling Reached to Save Her and the Dorothy Badly Damaged.

Norfolk, Dec. 4.—The coastwise steamer Sterling was rammed at 3 o'clock yesterday morning at the mouth of Chesapeake bay by the American steamer Dorothy. The Sterling was beached and the latter vessel was also badly damaged, her bow being twisted out of all proportion almost from her water line to her superstructure. No one was injured.

The collision occurred while the Dorothy was bound to sea coming down the bay. The Sterling was signalling for a pilot. She left Annapolis Saturday for New York. The Sterling, which was not more than two miles off shore, began to take in seawater and listed to starboard almost as soon as the Dorothy pulled away from her. Her commander, Captain Keene, seeing the vessel would sink, turned her bow toward the beach at Cape Henry and headed for it. His prompt action undoubtedly saved the ship from sinking and probably saved that of the crew.

ATTEMPTS MADE BY Y. M. C. A. TEAM TO MAKE DATES HAVE FAILED THIS FAR

An attempt was made today by Secretary Ed. E. Brown of the local Y. M. C. A. to get a basketball game this week between the association boys and the Maryville college team of Maryville, but the game would not be arranged as the manager of that team stated over long distance telephone that they had not had a game this season and did not feel able to go against such able opponents this early in the year. A date was made, however, to have them come here February 22.

NO BASKETBALL GAME SCHEDULED THIS WEEK

Chicago, Dec. 4.—Mrs. Edith Kaufman was shot and killed here Saturday night by robbers, who, dismounting from an automobile, attempted to hold up the young woman and her husband. The latter showed resistance and one of the robbers opened fire upon him. The bullets struck Mrs. Kaufman, however, and she was instantly killed. The assailants then escaped in their automobile.

THE PASSION PLAY FILM WILL NOT BE EXHIBITED

Palace Management Convinced There's a Negro in the Woodpile.

Tuesday of last week Cohn & Chapman went to S. A. Lynch, manager of the Palace theater, offering to lease to him for Thanksgiving day "The Passion Play" films. This would not have given time to properly advertise these pictures, so arrangements were made with Cohn & Chapman to show these pictures today and tomorrow. Cohn & Chapman were in town yesterday afternoon at 6 p. m., ready, it appeared, to fulfill their contract, this morning. They talked with Mr. Lynch and gave him circulars and posters for advertising purposes. Mr. Lynch says he learned this morning that a person in Asheville offered them \$100 for an interest in the film; and that had this person bought the interest in these films he would have attempted to keep them from being shown at the Palace theater.

It is learned that Cohen & Chapman left town last night on the midnight train for Morristown, Tenn., to look for engagements there, taking with them the films which were to be shown today at the Palace theater, hence it is evident, Mr. Lynch's friends feel, "that someone has him a low trick which would not have been done unless these men had been tampered with." This will not hurt the shows of Mr. Lynch, as his regular shipments of films are here and will be used as usual. This statement is made in order that the moving picture public may know that these films failed to be shown not through any fault of Mr. Lynch, as the people have long ago learned that when he advertises a feature it is a real one and will be produced unless something unforeseen happens.

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MOVING PICTURE SHOWS FREE TO THE LADIES

Without Restriction, at the Theatro and Palace, Monday and Tuesday Nights.

MILK CO. STOCKHOLDERS PAY ALL INDEBTEDNESS

Rare Action in Matter of Asheville Pure Milk Company, Bankrupt.

Among the matters disposed of during the past term of Superior court was that of the Asheville Pure Milk company, bankrupt. An order was signed by Judge Lane November 29, directing Owen Gudger, receiver, to pay the unpaid accounts of this company, and the many creditors of the company were gratified to receive, on Thanksgiving day, checks for their accounts in full.

It will be recalled that on July 15, 1910, an order was signed by Judge Joseph S. Adams, appointing Mr. Gudger temporary receiver of this concern, and a later order signed by Judge Adams, July 23, appointed him permanent receiver. A report was filed by the receiver on August 13, 1910, showing the total liabilities of the company to be \$5701.75; other accounts found later made the total indebtedness approximately \$6000. The assets were less than \$600 cash, and other property and accounts, estimated at less than \$400 cash value. In view of this report the creditors had not supposed they would receive more than 15 cents on the dollar. The difference, 85 cents on the dollar, was voluntarily assumed and paid by William Johnston, Jr., Capt. R. P. Johnston and Harold E. Johnston, principal stockholders in the milk company.

This was a limited liability company, as are all corporations except banks; and such an action as that of these gentlemen is exceedingly rare, there being no legal liability whatever resting upon them to pay these debts.

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An Opportunity That Comes But Once in a Lifetime

The chance to see the Dante's Inferno Pictures at Dreamland. They will be explained throughout by an expert lecturer. These pictures are new, are interesting, they will not bore you.

THEY ARE NOT TAKEN FROM A DUSTY SHELF AND PUT FORWARD AS NEW

but were shown a short while ago in Chas. F. Taft's fashionable Grand Opera, Cincinnati. The pictures grip and hold your interest as you follow Dante and Beatrice in their wonderful descent to the different circles of punishment.

TONIGHT AT DREAMLAND

Asheville's Great Show Place

SCHOOL GIRL who shot where she can work at night and day has heard and seen the best of the best. S. W. News-Week.