

M'COY RELEASED FROM CUSTODY

(Continued From Page One.) as in the Fort Smith hearing in regard to McCoy, to show what cards its reserved for exhibition should the case come to trial by jury.

The defense then offered testimony to show that McCoy was not connected with the alleged conspiracy. The question of identity of McCoy was also raised by defendant's counsel and it appears to be the strongest point made against removal of the Asheville man to the jurisdiction of the Florida courts of Uncle Sam.

Was in Service. For a number of years Mr. McCoy was employed in the interstate revenue service in this and other states; a few years ago he resigned from the work and has resided here since. For several years he was chairman of the executive committee of the republican party in Buncombe county.

Last summer McCoy's name was included in the list of those indicted at Fort Smith, Ark., along with the late Knox Booth, John L. Caspar, Moses Brock and others. The government was balked in its efforts to remove McCoy to Arkansas. Caspar and others are now in the federal penitentiary, having been convicted last fall.

The hearing just closed will be remembered as one of the hardest fought legal engagements ever seen in this city. Mr. Settle, former District Attorney Bolton and McKinley Pritchard gave battle from the first minute. It was Mr. Pritchard's first appearance in federal proceedings and he has won his spurs in an admirable manner. Mr. Botts showed himself to be well versed in criminal law; District Attorney Hammer dealt the sledge hammer blows for which he is well known.

Most of the sessions have been well attended by spectators and the attorneys have made it interesting. Emergent Eve has made the stenographic notes in a capable manner, during the hearing and at times he had his hands full keeping up with the rapid run fire of opposing counsel.

Yesterday afternoon. Seven o'clock last evening found Commissioner Shelton surrounded with law books, lawyers, court officers and newspaper men, all waiting to learn the fate of Thomas C. McCoy and W. C. Lonon in the removal proceedings begun on Wednesday. The main arguments had all been submitted and counsel for each side contended themselves with intermittent sharpshootings as the commissioner put interrogations as to disputed points in the evidence.

Not being a lawyer the commissioner has allowed each side free rein in submitting citations from all the legal documents since the completion of Justice's code down to the last supreme court decision. While some aspects of the case were plain, for the most part each side has disputed every inch of ground and technical arguments have been presented with great force and learning by attorneys for both sides.

In the afternoon Mr. Holton again stressed the point of insufficiency in the bill of indictment as probable cause. This document the commissioner had admitted as evidence subject to rebuttal.

McKinley Pritchard and his associates emphasized the necessity of identification of the defendant McCoy as the man who was indicted in Florida. The bill reads "Thomas C. McCoy, lately of Florida." Mr. Hammer replied that a technicality of that kind could not invalidate the indictment.

Mr. Pritchard. Mr. Pritchard argued that if the government had other strong evidence against the defendant it would have introduced it. He compared Graham Dale and William Trempman to copperhead snakes. He said that Lonon had befriended Dale when Dale was a friendly boy; and now, with a government halter around his neck, he had joined a conspiracy to destroy his benefactor in order that he himself might go free. Mr. Pritchard quoted Archbold and Bishop on criminal procedure; U. S. versus Horner on identification; in re Corte and other cases. Mr. Hammer said that Mr. Holton was mad because the government didn't open up its documents and show the defense just what it proposed to prove when the defendants came to trial in Florida. The district attorney declared that the supreme court did not require the prosecution to show its hand.

ODD FELLOWS MET IN HICKORY THIS WEEK

Fifteenth District Lodges Held Interesting Sessions—E. B. Stradley Present.

Hickory, Jan. 29.—Fifteenth district Odd Fellows met in convention here Thursday afternoon, the guests of Hickory lodge No. 208. The district includes the lodges at Granite Falls, Lenor, Morganton, Hickory, Patterson, Mulberry, Collettsville, Buffalo, Gunpowder and Jonas' Ridge. The visiting delegates were welcomed by Rev. J. D. Harts, and D. M. Cline of Granite Falls, responded. Grand Secretary B. H. Woodell of Raleigh, was present and addressed the gathering, and a short talk was also made by E. B. Stradley of Asheville, grand scribe of the encampment branch.

Work in two degrees was put on by the Hickory lodge. Granite Falls was selected as the place of next meeting and the convention adjourned to meet at that place the third Thursday in July. Officers of the district organization are J. W. Crist, Lenor, president; J. B. Leonard, Newton, secretary and treasurer. J. W. Howies was elected supervisor of the district.

We Challenge you to get Better results than we can give you with a little Want Ad Try one to-morrow

LARGE NUMBERS AT THE RUBY FUNERAL

Services Were Held at First Baptist Church Yesterday, Dr. Waller Officiating.

A large number of friends filled the auditorium of the First Baptist church, at 2:30 o'clock yesterday afternoon to attend the funeral of Altha Ira Ruby who died in this city Wednesday night. The funeral services which were very impressive, were conducted by Rev. Calvin B. Waller, pastor of the church. He was assisted by Rev. W. H. Woodall of this city and Rev. William H. Moore of Marion.

The entire choir that Mr. Ruby had conducted for nearly three years furnished the music. Mrs. Larson and Miss Betty Moore sang a duet with chorus; Miss Lucille Dinkins sang "The Perfect Day," accompanied by Mrs. Wosalage on the violin. Seth Perkins sang "Some Day He'll Make it Plain to Me" with chorus. The following acted as pall bearers: W. E. Reid, L. B. Harding, C. C. Willis, C. T. Carr, T. L. Bramlett and E. E. Stansberry.

The service was very impressive and the large audience attested the high esteem in which Mr. Ruby was held. Dr. Waller expressed the thoughts of the pastor and Mr. Ruby's many friends with reference to his devoted Christian life and work. Dr. Waller took as his text: "He being dead, yet speaketh"—"The Dead That Live."

WHEN CHEAP INSURANCE IS NOT CHEAP.

The moral that cheap insurance may be merely "cheap" insurance is pointed in the case of a coal owners' mutual employers' liability company in Illinois, which has gone into the hands of a receiver. This mutual avoided serious colliery disasters, merely becoming responsible for losses incurred in the course of normal operation. However, the members are now trying to get out of paying their obligations. The officers did their best to enforce collections, but finally decided to liquidate before additional losses were incurred. Prolonged litigation is assured, and if the creditors get any of their money they will probably have to sue the individual members, with all the handicaps and expenses of litigation and legal delays.—The Chronicle.

MORE TO FOLLOW

(Extracts from Report of Fire Marshal of District of Columbia for June, 1915.)

Samuel Goodman, white, aged 34 years, was badly burned about hands and face while cleaning clothes with gasoline in a two-story brick tailor shop and dwelling in Washington, D. C., on June 11, 1915.

Mrs. Catherine C. Weitzel, white, age 35 years, was fatally burned all over body on June 29, 1915 in Washington, D. C., caused by clothing igniting while filling a lighted lamp, died the following morning in Washington Asylum Hospital.

SAFETY CANS

All gasoline used for cleaning should be kept in a self-closing oil can, and in no case should this can be over one quart capacity. (An approved can of this type can be bought for less than \$1). Gasoline should never be used to clean an automobile, as the gasoline mixed with the water soon separates. (Quite a number of automobiles are burned in this manner).

PULL OUT NAILS

In Massachusetts last year 3,462 persons were injured by nails. Don't leave nails exposed in boards, boxes, barrels, etc. Frequently blood poisoning and lockjaw are caused by nail injuries.

PERSONAL RESPONSIBILITY FOR FIRES.

"American cities are being forced into the passage of laws to protect the careful citizen, by making the careless citizen pay for the loss he causes to his neighbor. If someone dies in your house you must satisfy the coroner that the death was due to natural causes. The day is not far distant when, if your neighbor's house is destroyed by fire starting in your house, you will have to satisfy the fire marshal that the fire was caused by conditions beyond your control, or else pay the price. This method has kept the fire loss of foreign citizens down to 23 cents per capita instead of \$3 per capita, as in this country.

On Agin On Agin

"A Day's Catch" Now both the bar, whose hotel lies in the fishing region, induce his camera to tell Fish-ies that number legion.

He rummages about, upstairs, Until, up near the thatch, He finds, all hid with dust some-where, His faithful "one day's catch."

He cleans them off and hires some men To put on sporting garments, To stand before the lens and then Pretend they caught the var-mints.

The string is always three yards long And holds a hundred fishes— They surely make inducement strong To those with fishing wishes.

But one can fish till cows come home, In the adjacent waters And never coax a fish to roam From wife and sons and daughters.

Alas, the fish have all been caught! One's hope for them is vain. The ones they photographed were bought From someone with a seine.

Finnigin Philosophy Whin ather overcomin' all th' obstacles th' misinformers could throw in 'is wa-y, a reporter at last gits th' story right, a lot av boneheads git busy an' read ut wrong!

Days

A day is what every dog has. Also at a certain season of the year, the dog has several in succession.

Days are sent to us whether we ordered them or not. Often we have awaked or awaked, or whatever is grammatical, in the morning and exclaimed indignantly:

"Now, here's a brand-new day, with the label still on it. I never ordered it! I couldn't afford it, even if I wanted it. If I had been going to order one, I'd have asked for a second-hand one."

But our protest went for nothing, and we had to take the new day and pay for it just the same as if we had ordered it in writing.

So we have got into the habit of grabbing the day as soon as we see it and trying to see if we can't find something to do with it that will help somebody else or ourself.

The sender of days is beginning to short-weight us just now, but there's no earthly use in going to the phone and stomach-aching about it. You would be told, if anything, that the price of days had gone up, but that the effort was tending to make the days better in quality to make up for the shortage in quantity.

To-morrow morning you'll be saddled with another day, just as sure as shooting, and so will we. But we can't stop and figure out what we'll do with it.

If we did, this day we have now on our hands would get away without our getting the worth of our money out of it.

The Foxy Jans She flirted with the handsome guys— They learned the meaning of "gay" from her. Then married a nut with pale green eyes, So nobody'd take him away from her.

One Letter Further "Strange how little we have progressed," said the incurable nut. "Come across," said the listener, who knew the nut would tell it anyway.

"The British and Americans once had trouble over a tea-bout, and now after nearly a hundred and fifty years the Germans and English have worse trouble over a U-boat."

Vain Woman "Woman holds her dress above everything else," muttered the Extreme Cynic.

"Yep," said the Sympathetic Dub, "I saw one crossing the muddy street just a bit ago, and she was pretty nearly doing that, all right."

The Young Lady Across The Way

The young lady across the way says so few young men are entering the ministry these days that she should hardly think it would pay to keep the technology schools open.

Official Schedule North Carolina League Season of 1916. Table with columns for location (Greensboro, Charlotte, Durham, Winston-Salem, Asheville, Raleigh) and dates for various games.

LEAGUE SCHEDULE IS NOW ARRANGED

Asheville Opens at Greensboro April 26; Closes at Charlotte Sept. 4. 58 GAMES HERE.

The schedule for the season of 1916 of the North Carolina league, printed in today's issue of The Gazette-News, was drafted by a schedule committee of three: President W. G. Bramham, of Durham; George Wearn of Charlotte and L. J. Brandt, of Greensboro. In many respects it is one of the best playing arrangements ever drawn for the compact North Carolina circuit; good because the mileage is uniformly even as well as because the number of games to be played by each team is about the same, the difference of one or two being caused by the location of the city represented. The schedule was adopted, without a change by a mail vote from the presidents of all six clubs to the president of the league.

Provision has been made for a post season series with the pennant winner in the Virginia league and regulars specify that each team shall be composed during the after season series as it was during the pennant race in the league it represents. In other words, no players from other teams can be used. The schedule of the two leagues will be completed at about the same time, September 4, and it is quite likely that the post-season struggle will be started either September 7 or 11, not later than the latter date, for the section of the constitution of the North Carolina league will not permit the season being started more than one week after the close of the championship race. All details for the series must be completed not later than July 1 and the rules governing the world's series will prevail.

Some few statistics not contained in the schedule but which are interesting to all fans, are: Saturday games at home: Charlotte 10; Winston-Salem 16; Durham 10; Greensboro 8; Asheville 9; Raleigh 9. Season mileage: Charlotte 3,828; Greensboro 3,708; Durham, 4,158; Winston-Salem 2,962; Asheville 3,291; Raleigh 3,224. Total for all clubs, 25,202.

ADDITIONAL SOCIAL

Brunner-Lowe. The following announcement has been received in the city: "Mr. and Mrs. Frederick Lawrence Brunner announce the marriage of their daughter Irene May to Mr. Charles Spurgeon Lowe Friday December thirty-first One thousand nine hundred fifteen Asheville, N. C."

Father Hall has returned from New York. Bishop and Mrs. Capers were in Lexington at the marriage of their son, Ellison Capers, but have returned to Texas.

Alton Parker Hall, who has been in Asheville visiting his father, Father C. M. Hall, has returned to New York. He is the grandson of Judge Alton B. Parker of New York.

Mrs. Thomas A. Jones and Miss Jeanie Jones have gone for a visit to New Orleans and other southern places.

Nine-tenths of what the average man knows is of no earthly benefit to him.

DUNN CASE ENDS WITH MISTRIAL

Jury in Mock Proceedings Stood 8 to 4 for Conviction —To Re-Try Case.

The trial of Elmer Dunn on a charge of burglary resulted in a mistrial Thursday night in the hall of the Biltmore council, No. 324, Junior Order United American Mechanics. The council will try the case again at the April term for the hearing of criminal cases, it is stated. At that time Solicitor Harry Nettles, and his assistant, H. F. Saries, hope to introduce evidence which will result in a conviction of the defendant.

B. C. Bradley presided as judge in this moot court proceeding and he proved to be familiar with statute and common law. He also made the spectators refrain from going out to smoke from time to time. The jury stood eight to four for conviction of Dunn for breaking into Forest McCrackens home on Christmas day. The members of the jury were L. A. Lippe, J. H. Maney, H. L. Frady, Edgar Wolfe, H. L. Wolfe, Clarence Taylor, Ernest Webb, Jesse Crook, Bell Jackson, Ernest Justice, J. M. Flecken and Ed Williams.

LOCAL EXHIBITORS WIN MANY PRIZES

E. S. West and J. A. Pons Sweep Prizes at Livestock Show at Salisbury.

According to information received here yesterday Edward S. West and J. A. Pons of Asheville "cleaned up" with their poultry exhibits at the sessions of the North Carolina Livestock associations, which have been held at Salisbury this week. Mr. West won first prize on single comb white Leghorn cockerel; first and second on hen of the same breed and first and second on pullet. Both of these exhibitors won on every exhibit they entered.

A. A. PAUL RETURNS FROM CONVENTION

A. A. Paul returned this morning from Savannah where he attended the sessions of the district convention of the P. N. H. Frith, as a representative of the local order. He reports a most enjoyable convention and says that the meetings were largely attended by delegates from all sections of the district. The district includes the District of Columbia, Virginia, North and South Carolina and Georgia. The next convention of the district will be held at Richmond in January of next year.

ARGUMENTS MADE IN M'AFEE CASE

Expected That Case Will Reach the Jury Tonight—Erwin First Speaker.

Arguments in the Claud McAfee case are being made in Superior court today and it is expected that the case will reach the jury this afternoon, although there is a probability that the case will not go to the jury until tonight, as Judge W. F. Harding's charge is expected to take up considerable time, following the lengthy arguments of counsel in the case.

Evidence in the case was concluded late yesterday afternoon, several witnesses being heard, although very little that was new was brought out during the course of their testimony. Following the hearing of several cases on the scif docket this docket this morning the arguments were resumed. R. B. Williams was the first speaker of the morning, summing up the case for the defense. He started speaking at 11:10 o'clock.

LAUNDRYMEN PLAN FOR CONVENTION

June 5, 6, 7 Dates Suggested For Meeting of Iri-State Association.

Canie N. Brown, J. J. Nichols and W. O. Greer, representing the Asheville Laundrymen association met yesterday in the committee rooms of the board of trade offices on Broadway to make tentative plans for the convention of the Launderers' association of the Carolinas and Georgia, in this city in June. The dates 5, 6 and 7 were named as desirable, subject to change.

CALLER AS NURSE FOR KING GEORGE

Walter W. Jackson of No. 319 Southside avenue, a son of Mrs. Ruth Brown, has recently received a letter from his cousin Miss Vivian Tremaine, from England, in which she states that she was called to attend King George during a recent illness. Miss Tremaine is a trained nurse and she states in the letter that the king complimented her on her skill as a nurse, giving her a magnificent diamond and her photograph. Miss Tremaine has been nursing in Europe since the war started, it is stated and has won much praise for her work.

SCI FA DOCKET WAS CALLED TODAY

Judgment Absolute in Several Cases in Superior Court—Others Were Continued.

After hearing ten cases on the scif docket this morning, which consumed about two hours of the court's time, Judge W. F. Harding stopped the proceedings and stated that the arguments in the McAfee case would go on, the scif docket to be taken up later. Several cases of interest, in which large bonds are involved are on the docket.

The following cases were called this morning: Joe Harris, C. C. Willis, surety, heard upon affidavit, scif docketed upon the payment of all the costs, including the jail fees; Ben Carter, C. L. Sluder, surety, heard upon affidavit and solicitor moved for judgment according to the bond. It appeared upon the record that in the bond had been written "Superior court" instead of "Superior court" which provoked some discussion and the matter was left open; J. J. Swink, W. M. Jackson, surety, motion made to set aside the judgment in the case. A similarity between the names of "Swink" and "Smith" was made the foundation for the motion, which was continued; Carl Swink, affidavit of defendant entered and judgment nisi was stricken out and the solicitor did not controvert the facts; J. A. Carver, forfeiture stricken out and defendant pleaded guilty, judgment being suspended upon the payment of costs; Fate Henderson, Gay Green, surety, motion to set aside the \$100 judgment made and was heard upon affidavit, the solicitor opposing the motion. The motion was overruled and judgment nisi for \$50, the amount of the bond was made; Luther Frazier, C. C. Willis, surety, motion for judgment continued until final hearing; George Mills, J. H. Creasman, surety, judgment absolute for \$100, the amount of the bond, was rendered; Carroll Harris, Mr. David, surety, forfeiture stricken out upon payment of costs; H. S. Rymer, J. J. Mackey and B. L. Lyda, surety, forfeiture stricken out.

INCREASE SHOWN OF 125 PER CENT

The secretary of the board of trade has just made a comparison of the number of inquiries received by the board in regard to Asheville in the week ending Jan. 27 and the corresponding week of last year, with the result that the latter week shows an increase of 125 per cent. The inquiries sent in within the past few weeks indicate that Asheville advertising is bringing results and the prospects for a fine tourist season were never better, it is believed.

Today 10,000 new Asheville leaflets, "Asheville at a Glance," came from the press. The information has been carefully revised and brought up to date.

ROCKY MOUNT GAVE \$756 FOR JEWISH FUND

Rocky Mount, N. C., Jan. 29.—Jewish families and patriotic gentle citizens of this place contributed \$756 Thursday to the fund for the relief of the Jewish war sufferers in accordance with the proclamation of President Wilson appealing for contributions for this cause. If a man's heart is all right his head is not far out of line.

ONLY ONE "Bromo Quinine" that is Laxative Bromo Quinine E. W. Snow on box 25c. Cures a Cold in One Day, Cough in 2 Days