NEWS AND OBSERVER, RALEIGH, N. C., THURSDAY MORNING, DECEMBER 16, 1920.



Robah Baity and Kohler Holtsclaw Lose Fight For New Trial

SUPREME COURT FINDS NO ERROR ON REVIEW

Baity Convicted of Murdering While Holtsclaw Was Sen. tenced For Shooting Down Rival For Young Woman's Affections

Robah Baity, Yadkin county, and Kohler Holtseinw, Catawha county, white men under sentence of death for murder in the first degree, lost their fight for a new trial when the Supreme court yesterday handed down opinions finding no error in the trial of the tw men. Baity was convicted in May of the murder of Sheriff J. E. Zachary of Yndkin county, when the sheriff and another officer raided an illicit distil by Baity, while Holts elaw was convicted in Julp of the mur der of John Gubriel, his rival for the affections of Marjorie Lockman.

Between these men and the electric chair now stands only possible interference by the Governor of the State D is understood that in each case application will be made to Governor Bickett for commutation.

Spencer McNeill, who was tried with Buity for the killing of the sheriff was acquitted in Superior court. According to the evidence brought out in the trial, on the night of February 13, 1920, Sheriff Zachary and a deputy, T. A. Caudle, set out on a whiskey raid. The distillery was located on the right side of a little branch. As they made their way to it, they were met by a third man who passed them, went out of the road a little piece, then turned and followed, going parallel with them in the direction of the distillery. When they stopped, this man came down to the branch and whistled several times.

When twenty yards from the distil-lery, the sheriff and Caudle saw Me-Nell and Baity. The sheriff ap proached them and taking hold of them by the lapsels of their coats said :

"Hold up. I've got you." Baity grabbed the sheriff by the shoulder with his left hand and with his right fired a bullet through the officer's heart.

Jealousy Is Cause.

Jealousy was the motive established by the court in the case of Holtsclaw. Holtsclaw shot Gabriel in the head as the latter was leaning on the bood of his automobile. As the wounded man fell back, Holtsclaw advanced and fired another shot, directly into his forehead. Either shot, it was testiffied in court, would have been fatal.

After the two shots Holtselaw calmly mounted his horse, which he had ready saddled, and waiving his pistol toward Majorie Lockman, a young woman who was about 125 yarda away, rode off exclaiming "Fare you well, Ma-jorie!" He was later arrested in Alabama.

Evidence was produced in the trial tending to show that the shooting was result of ill feeling toward Gabriel which was on account of illicit relations which Frazier had with Majorie Lock-man, with whom Holtselaw was infatu-sted.

Other Oignions. Opinions filed by the court yesterday

foilow Bank of Davie v. Sprinkle, Davie, affirmed.

State v. Baily, Yadkin, no error.

OF INTRASTATE RATES Arguments of Carriers and State Commissions Taken **Under** Advisement Queenstown. Washington, Dec. 15 .- Investigation

f the refusal of the railway commistions for seven States to increase State railroad rates to the level recently au thorized in intrastate traffic closed toby with the Interstate Commerce Com mission taking the evidence and argu-ments under advisement. The seven

States whose cases were presentd to the commission are. Ohio, Illinois, Michi Sheriff of Yadkin County gan, Utah, Indiana, Florida and Neraska.

END INVESTIGATION

During the hearings, which lasted three days, counsel for the railrends at tempted to show that carriers were losing millions through the existence of State rates lower than those prevailing a interstate traffic. They also argued

that unfair discrimination existed against competitive traffic with neighboring States and that interstate tar-iffs authorized by the Interstate Commerce Commission were being avoided the re-buying of tickets within State imits on the basis of State rate schedulce.

WILLYS-OVERLAND CO., PASSES ITS DIVIDEND

New York, Dec. 15 .- Directors of the Willys Overland Company today an nounced their regular quarterly divi dend of 1 3.4 per cent on preferred stock would be passed.

In explanation of the omission the dividend, the directors issued a statement explaining that while the preferred stock dividend for the entire year has been earned by a wide margin directors "consider it to the oltimate advantage of the company to conserve each resources until normal conditions again prevail in the indus-trial and financial world."

The Amalgamated Leather Com panies, Inc., also announced it had passed its quarterly dividend of 1 3-4 per cent on preferred stock, due Jan-uary 1. The company has paid quar-terly dividends on this issue for one year.

VANADIUM CORPORATION PASSES ITS DIVIDEND

New York, Dec. 15 .- The Vanadium Corporation of America today cut its quarterby dividend to \$1 a share as against the previous rate of \$1.50 for three months.

In explaining their action, Vanadium directors stated that the company's earn ings are in excess of reular dividend requirements, but because of the pres-ent state of business it was deemed ad visible to conserve each resources. The announcement of the dividend reduction followed suspension of dividends by several other companies today, resulting in an increasingly bearish sentiment in the stock market

LEECH LEADING POINT SCORER IN THE SOUTH

Lexington, Va., Dec. 15 .- In Jimmy captain and half-back of the weeh, undefeated Virginia Military Institute football team, it is claimed that Insti tution possesses the leading individual point scorer in the South and possibly n the entire country during the past

In the nine gnmes of the "flying ca dets" 1920 schëdule, Leech ran up a grand total of 210 points, scoring 26 touchdowns, kicking 48 goals. He also is touchdowns and two field goals. He redited with having made a total of 1,723 yards in line plunges and end runs and with having hurled forward

asses for an aggregate of 448 yards. COST OF INAUGURATING A PRESIDENT GOES UP

be performing this service, not only for her own children but for those rom other homes not so richly blesses with the finer things of life. I confess to no great satisfaction in the good fortune of those families, which when hey become sufficiently well to do, like take their children away from the public schools and give them the doubt-ful advantage of more exclusive educa-

tional processes. I like the democracy of the community school and indeed vould like to see a greater measure of t enforced in the public schools by the limination of those evidences of extravagance in dress and social indulgence which make for the development of

something like caste within our democracy. Part of Teachers.

DAMAGE CAUSED BY FIRE INI

CORK WAS FIFTEEN MILLIONS

Help In Training Children

(Continued From Page One.)

"On the side of the teachers, and the responsible authorities back of her. there must be the same ready disposition to co-operate with the home and the mother. Our public school system leaves to the home and its influence the great duty of instilling into the child hose fundamental concepts of religious aith shich are so essential in shaping the haracter of individual citizens and, therefore, of the nation. That duty remains to be performed at the hearth-side, and will always be peculiarly a prerogative the mother. I could

wish, indeed, that our nation might have a revival of religious spirit along these inc... There never was a time when he world stood in more need than it bes now, of the consolations and reassurances which only a firm religious faith can have. It is a time of uncer-

tainty, or weakened faith in the effici ency of institutions, of industrial sys ems, of economic hypothesis, of dictum and dogma. Whatever our realm, let not our engrossment with those things which are concerned merely with mat

ter and mind distract us from proper attention to those which are of the spirit and the soul. "It has been demonstrated to astonish ing and alarming cortainty that a large proportion of school children and even

of adults suffer from under nourishment. Perhaps in the case of most adults the fault is of the individual rather than society. With children, however, it is otherwise. If society has per mitted the development of a system ander which the citizens of tomorrow wrong, to insure some measure of jus-tice to the children, who are not re-

sponsible for being here. "I am not of those who believe

Washington, Dec. 15 .- The burning of Cork resulted in damage of \$15,-909,000 and threw 100,000 persons out the world's leadership, has lately achieved one victory in behalf of a of employment, the state depadtment was advised in a cablegram received better understanding and more intelli-gent grasp of these problems. I refer today from the American consul at

to the besowal upon women of full participation in the privileges and obligations of citizenship. With her participation larger and influence in the world of affinite to the ball see Urges Mothers of Nation To participation larger and influence in the world of affairs, I think we shall see woman and her finer spiritual instincts at length leading matkind to higher planes of religion, of humanism and of ensubling spirituality. "Healthful mothers amid fit con-ditions for maternity, healthful, sbund-aths available ablidmen smid fit conthe opportunity to lift up the poorer, and the less fortunate to a higher level.

"The mother who indefatigably seeks train her own children rightly will intly nourished children stuid fit con ditions for development mentally and physically-all made certain by the generation of today in its concern fol tomorrow will guarantee a citizenship from the soil of America which will be he guarantee of American accurity nd the American fulfillment.

After Long Wait Jury Declares Holding Guilty

(Continued From Page One.)

witness, but was not present in the court room.

Equally positive evidence was intro-duced by the other side. Dr. O. L. Bay, president of the Wake County Medical Society and Honeycutt's family physician gave the defendant an excellent character and Daniel Allen and W. H. McElwee, of Raleigh, and Hickman Allen, of Neuse, three of the twenty witnesses who had previously testified that Honeycutt bore a good character were recalled and spoke highly of the defendant's integrity and asserted he is an influence for good in his community. Honeycutt Worth About \$75,000.

Mr. MaElwee, who was associated with Honeycutt in business for six years, stated that he estimated the value of the defendant's estate at be-tween \$75,000 and \$80,000, an estimate considerably below the general impres sion in regard to the matter.

Mr. Aydlette stated he had nothing to add to the evidence, but both Col Albert L. Cox and W. B. Jones, counsel for the defense, made pleas for mercy, asserting that a fine would best serve the ends of justice, and permit the defendant to care for his family. Quoting the proverb, "He who hastes to riches shall not be innocent," Judge Gonnor declared that Honeycutt had been the victim of a modern craze and

icclared that he might be willing to overlook one offense, but that the evi-flence revealed systematic robberies. This evidence shows that he was the originator and head of the whole con spiracy and I think that on this evid ience the defendant could have been convicted as a particeps eriminis to the actual stealing," the court declared. Judge Connor declared that Honeycutt had entangled the Pearce boys sons of a dead neighbor, and "brought stiffer real privation today, then the sons of a dead neighbor, and "brought obligation is upon society to right that suffering on other people of the county with whose misfortune everyone must

Herbert Pearce Arrested. While Judge Connor was delivering legislation can find panaceas for all the sentence upon Honeyentt, a teleills, but on the other hand I am not gram was received in the court room, of those who fear to undertake, through which stated that Herbert Pearce, one

Active Middle Age **May Beat Youth** Medical Science proves blood rich in iron to be a secret of great strength, energy and endurance. You may be a better man at 50 than the husky stripling of 25 if you take care of yourself and KEEP YOUR BLOOD FILLED WITH IRON. In an account of a severe mountain climbing test, a New York newspaper states that 20 percent of those who accomplished the feat were 44 years and over,

legislation, the formulation of new pro of four brother under indictment, had grains. Befers to Suffrage. "I firmly believe that our country, along with others that claim a share m the modeling indeceding has hard in the modeling in the set of the defendants at large. The case against Vance Pearce, an-

the case against Vance Pearce, an-other brother, who is a farmer of Neuse, and who is reported to have at-tampted to commit suicide after his arrest, was continued for the term. Felons Cannot Testify.

Judge Connor yesterday ruled felons cannot he allowed to testify. Priestly Pearce, Coell Pearce and the two negross, Tom Avery and Tom Williams, will probably not be piaced on trial until after they have been used as witnesses in other cases. Jim Lawson, another negro who has not been used

as a witness, will probably be sen-teneed at this term of court. Still another negro and Luther Pearce, older brother of four of the men under indistment, have been im-plicated in the robberies by various

witnesses, but have not yet been inlicted.

No Opposition To Electing Austria a League Member

(Continued From Page One.)

der the international oplum convention, regulating traffic in the drug was taken up by the assembly at this morning's

The committee which had been in estigating the subject recommended that the secretariat of the league collect information from the interested counries and that the subject be further investigated by an advisory committee including representatives from the countries especially concerned-Holland, Great Britain, France, India, Japan, Chuna, Siam and Portugal. (Under the interntional opium con

ention signed in 1912, the United States being among the signatories, various duties devolved upon the Dutch government. Among the provisos was one that the contracting powers should com-municate with one another regarding various facts connected with the subject through the Dutch minister of foreign affairs. The ratification machinery also was placed in the hands of the Netherlands foreign office.)

The committee report mentioned the difficulty resulting from the absence of the United States and Germany from the league and suggested that if these governments could not forward their aformation to the league they might continue to communicate with Holland on the subject.

China's Efforts.

During the discussion Dr. Wellington oo, of the Chinese delegation, reviewed he efforts made by China during more than a century to suppress the opium habit. He recognized, he said, the great debt of gratitude China owed the United States for America's aid in this work. He was particularly pleased, he said, that the committee had decided the Inited States should be especially in-

vited to send a representative to meet with the advisory committee. The committee's suggestions were edopted by the assembly, and the sub-ject of the "white slave" traffic was taken up.

White Slave Traffic.

The propositions regarding this traffic are that the countries which adhered to the international convention of 15.14 be avited to send delegates to sucher international conference to be held before the next assembly; also that the connel appoint a committee to investi-gate the deportation of women and children in Asia Minor.

The discussion of this question brought to the platform for the first time one of the women substitute dele-gates, Mile. Henni Forthammer, of Denmark. She was received with warm

applause Mile. Forthammer made a strong ap-peal for prompt action on behalf of the women who had been deported during the war and since its conclusion. She urged the assembly to send investigators to Asia Minor and appealed to the delegates individually to prevail upon their several governments to strengthen their legislation to suppress the traffic in women and children.

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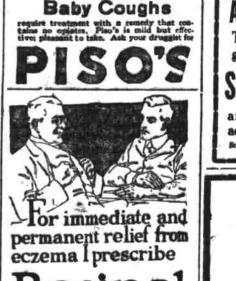
feetly, and tastes pleasant—children like it. You can feel this take hold instantly, soothing and healing the membranes is all the air passages. It promptly loosens a dry, tight cough, and soon you will notice the phlegm thin out and then disappear altogether. A day's use will usually break up an ordinary throat or chest cold, and it is also splendid for brochilis, eroup, boarseness, and bron-chilts, eroup, boarseness, and bron-throat and chest ailmenta. To svoid disappointment, ask your druggist for "2% ounces of Pinex" with directions and don's accept anything else. Guaranteed to give absolute antis-faction or money refumed. The Pinex Co. Ft. Wayne, Ind.



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Mile. Forthummer, using excellent English, was enthuniastically applauded, especially when she pleaded for the

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came to a vote they were unanimously adopted by the assembly.

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1111 v. McFarland, 110 trial.

v. Holdselaw, Catawba, no State

State v. Blackwall, Henderson, no.

Burleson v. Stewart, Mitchell, re

Dixon v. Horne, Henderson, no error Patrick-Mosteller Co. v. Baker & Co. et al., Catawba, plaintiff's appenl error; defoudant's appeal modified and affirmed.

Flack v. Flack, Henderson, affirmed. Power Co. v. Manufscturing Co., Buncombe, reversed.

Hemphill v. Caither, Buncombe, new trial.

Hennis v. Hennis, Buncombe, no error.

FURMAN 1921 FOOTBALL All of The Games Except One To Be Played at Home; Carolina Possibility

Greenville, S. C., Nec. 15.-Furman University today announced its foot-ball schedule for next season as follows:

September 23, Erskine. October 1. Newberry. October 8, University of Georgia. October 15, Georgia Tech. October 22, Clemson. October 29, Tentative. November 5, Citadel. November 12, South Carolina Unlversity.

November 19, Wofford. hankagiving Day, Davidson.

Furnan's only game away from Greenville will be with Georgia Tech. in Atlanta. For the open date, Fursity of Tennessee, and University of North Carolina.

William L. Lovell again will coach the team next year, and Harrell, "Speedy" Speer, of Winston-Salem, N. C., will be physical drector.

BREVARD TANNING CONCERN

BUILDING A LARGE ADDITION Asheville, Dec. 15.-The Broward Tan-BUILDING A LARGE ADDITION Asheville, Dec. 15.—The Brevard Tan Transviewin county, is erecting a large to dollars. The new structure will be of oblars. The new structure will be to dollars. The structure will be to dollar to dollar to dollars. The structure will be to dollar to dollar to dollar the to dollar to dollar to dollar the to doll

Washington, Dec. 15 .- An increase of from 50 to 100 per cent in the cost of inaugurating a President was made today at an initial meeting of the joint Congressional committee in charge of President-elect Harding's inauguration. Construction on the usual mammoth reviewing stand on the Capitol plaza and engraving of official invitations was authorzed by the com-mittee, headed by Senator Knox, Republican, Pennsylvania, and Representative Cannon, Republican, Illinois

EXPRESS AGENT HELD FOR MAKING FALSE ENTRIES

High Point, Dec. 15 .- S. P. Benner, former express agent in High Point, was given a recliminary hearing here last SCHEDULE IS ANNOUNCED night on a charge of making false and fictitious entries in his acount. He was bound over to Federal court on a bond of \$1,000. A special agent testi fied that betweent \$4,000 and \$5,000 had ocen entered on the books fictitiously. However, no charge of a shortage has been made.

FORMER KITCHIN OPPONENT IS DEAD AT HOOKERTON

Kinston, Dec. 15 .- William D. Dixon, who opposed Claude Kitchin for the Second District seat in Congress at the recent elections, died at his home at Hookerton at 2:30 this afternoon. He was a prominent merchant and Re-publican leader. He is survived by his wife and three children. He was 50 ears old.

CANTON VOTES BIG BOND ISSUE FOR MUNICIPAL IMPROVEMENT. Asheville, Dec. 15.-By a large ma-jority the citizens of Canton, one of the most progressive towns in all west-ern North Carolina, have voted a bond issue of \$150,000 to be used for municipal improvements. Of this sum \$85,000 will be used in the construction of a modern high school and other money will be expended on streets, sewers and other civic improvements. Out of the 600 votes cast in the election only 56 voted against the bond issue, this being

Prize-fighters, wrestlers and athle coarse foods in their training as such a diet helps supply their blood with iron. med the

NUXATED IRON ENRICHES THE BLOOD-GIVES

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THE WOOD ETERN

THERE ARE 30,000,000,000,000 RED BLOOD CORPUSCIES IN YOUR BLOOD AND EACH ONE MUST HAVE IRON.

BLOOD AND EACH ONE MUST HAV Nature put plenty of iron in the busks of grains and the skin and pools of vogetables and fruits to enrich pour blood, but modern methods of cookery throw all these things way-hence the almining increase in recent years in Ansemia-ironstarvation of the blood, with all its attendant ills. When you get up feeling tird in the worning; when you get up freeling tird in the worning; when you and yourself setromes, irritable and easily upset; when you ecan no longer do your day's work without being all flaged out at might when your digetions aligoes wrong, you have pains across the back and your face looks pale and idra wn, do not wait until you go all to pleces and collapse in a state of nervous prostration, or until in your weakened condition you con-tract some zerious disease, but consult your finally physician and have him in the a speci-men of your blood corputein, or test the iron-power of yoor blood yourself by adding plenty

XOX

ever-lasting wood-

of guinach, carrois, bahed apples or other iron-containing fuults and vegetables to your daily food and take organic iron, like Natiated Iron with them for a while and see how such your coulition improves. Thousands of people have surprisingly in-creased their strength, carryr and endurance in two weeks time by this simple experiment. But in making this test be sure that the from you take is erganic iron and uot metallie from or mineral iron which people usually take. Organic iron is like the iron in your blood and like the iron in sinch, length and apples, while metallic iron is iron just as it comes from the action of strong seids on small pickes of iron. Organic iron may be had from your droggist under the same of NULAATED IRON. Your money will be refunded by the magne-Your money will be refunded to facturers if you do not obtain pe factory results. At all druggiets. a perfectly main-



"If you want to experiment, try some of those things you talk about. But if you really want that thehing stopped and your skin healed. I advise you to get a far of Resinol Ointment, and a cake of Resinol Soap. We doctors have been prescribing that treatment ever since you were a small boy, so we know what it will do. It is cooling, soothing, easy and eco-nomical to use, and rarely fails to over-come eczema and similar affections."

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BIG MORTGAGE SALE HORSES AND MULES Saturday, December 18, 1920

One hundred head, together with a lot of personal property, including cows, hogs, buggies, wagons, harness, billy goats, Shetland ponies, etc.; automobiles of ten different makes-a Saxon, an Overland, a Dodge, 2 Ford trucks, a Ford runabout, a Franklin, a Hanson, a Comet and others. We have had consigned to us for this sale four registered big-bone Poland China hogs, Gilts bred to High Bob that cost \$900.

Come to this sale. It is an opportunity never before offered. Everything sold for cash; an opportunity to buy things cheap. Your dollars will marry or double if you will invest them in this sale. In talking to time merchants and horsemen reminds me of David Crockett. He had his time, but you all know what became of him. "Remember the Alamo."

We had a very successful sale here last Saturday. Sold over \$5,000 worth of stock, etc., for cash. Everybody has paid up and got their goods and said "delighted" and left their hats in the ring for the next sale, which comes off next Saturday. We had a large crowd, but too many "dummy looking" fellows who reminded me of an old friend of mine by the name of Matt Evans. He was a great friend of the Confederate nurse, Abbie House, both of whom were very famous characters in Franklin County. Matt used to come to Louisburg every day. My old friend, Judge Cooke, asked him why he tame to town every day, and he said, "For the same reason country dogs come to town," and Judge Cooke said, "Well, Matt, why do they come?" "I gosh, Charlie, they come to see and be seen."

So I guess a lot of fellows came to our sale for the same reason, as they did not bid or say anything, but stood around looking wise, in the way, of course.

If you have any horses, mules, cows, hogs or any personal property, including auto-mobiles, you want to cash in, bring them to us and we will sell them, charging you 10% if we sell-nothing if we don't.

Remember, everything sold is guaranteed as represented at time of sale or your money is refunded. You take no chances. We look after the buyer as well as the seller and apply the "Golden Rule."

Attend this sale, tell your neighbors about it and stick up the circulars I am sending you by mail. Drop us a card if you are coming.

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