



### Crisco Makes Delicious Shortcakes

A SHORTCAKE made with Crisco is unusually crisp and tasty. Use the fruits in season that you like—strawberries, raspberries, peaches, bananas or others and make the crust with Crisco. You can be sure it will be the lightest, flakiest possible—a real delicacy.



Crisco is the solid cream of edible oil. It is wholly vegetable. It has neither taste nor odor. It has only richness to give to foods in which it is used.

You can always depend on Crisco as an aid to better results in the preparation of foods that are wholesome, appetizing and easily digested.

## SENSATIONAL TWIST IS GIVEN TO THE MANDAMUS HEARING

(CONTINUED FROM PAGE ONE.)

the many affidavits. These affidavits Judge Adams counts as the evidence in the case. With the exception of one to be presented by Chairman Lyda at this morning's session, it is understood they have all been filed, and therefore all the evidence has practically been submitted. Judge Adams endeavored to find out how much time the opposing counsel would require today for argument, but no decision was reached. Judge Adams asked that the attorneys aid him in reaching a non-partisan and a fair conclusion. The counsel agreed with each other that the arguments should be as brief as possible and assured Judge Adams of their intention and desire to co-operate with him.

### Judge Wants Facts.

"The feature of this case that I am most interested in," said Judge Adams, just before adjournment last night, "is to have perfectly clear understanding of the facts. I want nothing savoring of partisan feeling or of bias on either side."

The tendency of the many affidavits presented yesterday by counsel for Mr. Britt was to show that the unmarked ballots cast in other than the five precincts considered by the canvassing board, and entitled supplemental and complete returns from those five precincts, would give Mr. Britt a majority of the vote cast in the county. Another statement in the affidavits was to the effect that in some precincts the unmarked ballots had been destroyed, and that in all of those referred to it had been agreed among the poll clerks that the unmarked ballots should not be counted.

Some of Mr. Britt's affidavits also tended to show that the returns before the canvassing board on November 9 were to all intents and purposes correct, and that they agreed in all particulars with the official blanks later turned in, except as to the supplemental and amended returns of the five specified precincts later considered by the board. During the session, Louis Bourne asked that the scope of the inquiry be determined now, and reference was made to an enlarged inquiry and to courts of higher jurisdiction.

### The Session.

The session of the session, however, was sprung late in the afternoon when attorneys for Mr. Britt claimed to have discovered that the abstract of election forwarded to the secretary of state by the canvassing board of Chairman Lyda of the canvassing board, Thomas Settle of Mr. Britt's counsel had asked for the privilege of inspecting the official returns from five of the precincts. After going through a minute examination of the abstract, Mr. Settle and F. W. Thomas then went downstairs to inspect the tabulated returns of the board in Clerk Cathey's office. On their return they alleged that Chairman Lyda's signature on the abstract of election, Judge Adams adjourned court until 10 o'clock this morning to permit affidavits from the canvassing board's chairman being presented.

Motions to quash and to dismiss the entire proceedings were made at the opening of the second day's hearing by Thomas Settle for Mr. Britt and by A. Hall Johnston for the board. After a little legal dispute between the attorneys, Judge Adams ordered that the affidavits be accepted as true. One from Congressman R. W. Weaver was read, which the public is already familiar with and referred to alleged statements of Mr. Weaver which had been made in other counties, which would be counted in this county. The affidavit insisted that a counting of all the unmarked ballots in the district would have resulted in Mr. Britt's election. He claimed that the result reached by the canvassing board was attained by counting into the returns unmarked ballots from a specified five precincts in the county.

Dean Hill's affidavit, W. Hill, chairman of the county executive committee, was to the effect that the tabulations of the board on November 9 were correct and that they agreed with the results later turned in. The affidavit also referred to the incident of the alleged secret meeting of the board held in the county commissioner's room. The affidavit charged that Chairman Lyda, of the canvassing board, and Chairman J. W. Wiggins, of the democratic county executive committee, were seen in frequent conferences and that the sudden adjournment of the board was due to a secret agreement between the two chairmen.

The affidavit was submitted from R. C. Roberts to the effect that the tally sheets before the board on November 9 were accepted as satisfactory by all the members without objection. No statement was made at that time that the official returns were not before the board and the adjournment was not had for that reason, the affidavit charged, which releases the state-charges, which were no minutes made before the meeting.

### Thin Folks Who Would Be Fat

Increase in Weight Ten Pounds or More. "It certainly gives most anything to be able to fat up a few pounds in this man or woman. Such a result is not impossible, despite past failures. Most thin people are victims of malnutrition, the blood as they are, when the powers of nutrition are normal. Instead of getting into the blood, much of the fatting strength-giving material of what you have eaten into rich, ripe nourishment for the tissues of the body. The effect has been in many cases reported remarkable. Reported gains of from ten to twenty-five pounds in a single month are by no means infrequent. Yet the action is perfectly natural and absolutely harmless. Sargol is sold by all druggists everywhere and every package contains a guarantee of weight increase or money back—Adv.

A. B. Freeman, republican member of the election board of elections, told of the various meetings of the board and of the decision that only marked ballots should be counted as legal ballots.

Brownlow Jackson, republican congressional chairman, his affidavit told of his securing this interpretation of the law from the attorney general and of his actions in conducting the republican campaign in accordance with these instructions.

Affidavits from Charles A. Wells, registrar of Sandy Mush precinct No. 1, and from J. R. Teague, democratic judge of the same precinct, were read. They recited that Mr. Teague took from him the original tally sheets from the precinct and that these returns were later filled in on the regular blank, which they did not have at that time.

Affidavits from J. C. Hill and Theodore Skilton, leading to substantiate the foregoing, were submitted.

Polk Holloway Agreed. Charles Carter, republican judge at Beavertown precinct, said in his affidavit that he had been agreed that the unmarked ballots should be counted. In the box were found five unmarked ballots for Britt and none for Weaver. The Britt ballots were thrown out.

Affidavits to the same effect was submitted by J. P. Bartlett of Swannanoa precinct, where one Britt unmarked ballot was thrown out and none unmarked were found for Weaver.

S. W. Radford, republican judge of Asheville precinct No. 1, said that one unmarked Weaver ballot was thrown out there and two unmarked Britt ballots. He had not been asked to sign any supplemental returns.

E. C. Roberts, republican judge of West Asheville precinct, there were three unmarked Britt ballots and five unmarked Weaver ballots thrown out. G. W. Edwards in his affidavit, R. W. Weaver made affidavit to the same effect and said that the unmarked ballots had been destroyed.

Vonno L. Gudgey's affidavit stated that he had been present at the first meeting of the canvassing board and heard the contents settled, that all the precincts except Asheville No. 1 and West Asheville were represented, and that it was agreed that if the tally sheets of these two precincts were correct, the election would be conclusive evidence. He denied that the matter had not been closed definitely then.

Three For Britt. R. K. Evans, republican judge of Leitchfield No. 1, said that he had three unmarked Britt ballots and none for Weaver had been found there. The Britt ballots were not counted.

The affidavit of Clyde S. Reed, Blount precinct, said that one marked ballot for both Weaver and Britt had been found there. It had been early agreed among the poll holders not to count the unmarked ballots.

Charles D. Miller of Hazel precinct said that one unmarked Britt ballot was found there and that it had not been counted. He had been asked to sign another return, W. L. Spivey, democratic registrar, stating to him that the original returns were correct and to sign after making a notation on the sheet as to the one unmarked ballot.

W. E. Waller, republican judge, Sandy Mush precinct No. 2, said that he had had no unmarked ballots cast there.

F. L. Myers, republican judge Asheville precinct No. 6, said that it had been agreed not to count the unmarked ballots. A. G. Sikes, who was present at the counting, and asked to be allowed to keep the tally.

Affidavits containing what the counsel for the canvassing board characterized as "street talk," in which alleged conversations were recited were submitted. The names of Amos D. Foy, J. N. Garren and Charles W. Malone were mentioned in these.

To Suck Themselves. J. M. Campbell submitted an affidavit to the effect that he had heard that Louis Bourne, of the board of the mandamus proceedings, "that the writ had nothing to do with the matter and that the members of the board were going to run things to suit themselves."

One affidavit, signed by J. H. Grindstaff, E. L. Lyda, J. N. Garren, S. D. Hall and others of the board, stated that there had been no requests to go into their precincts for supplemental returns save the five considered. This ended the reading of the affidavits. The reading of the board's counsel, said that it was not in the power of the Superior court to control the discretion or the exercise of the board's judicial power, but only to compel action on the part of that body. He stated that he and the other counsel with him represented the Buncombe board of canvassers, and not Mr. Weaver. He declared that the board had performed its duty, and referred to some of the affidavits as containing only street talk.

"What Mr. Britt started out to do," said he, "was based on the assumption that the board of canvassers had already proclaimed the result of the election at their meeting on November 9. This title to the office will be determined by a court of another jurisdiction."

KAISER SUPPORTS CHANCELLOR. BERLIN, Nov. 21 (Via London).—Emperor William has just declared publicly his support of Chancellor von Bethmann-Hollweg against attacks upon him by his opponents.

## THE MINORITY WINS

Life insurance reports state that the majority, or nearly 90 per cent, of all men at the age of 60 are dependent upon others for support.

### WHY?

Because in their younger—earning—days they have saved nothing.

Here's a place where the minority wins. We offer absolute security and 4 per cent on savings deposits, and both young and old are welcome.

One Dollar starts an account.

## Central Bank & Trust Co.

South Pack Square

United States, County and City Depository

## AUSTRO-GERMANS CAPTURE CRAIOVA; DRIVING FORWARD

(Continued from Page One)

SENTIMENT FOR WAR GROWS. ATHENS, Nov. 20 (Via London, Nov. 21).—It is learned that while the suggestion of Aristide Briand, the French premier, that King Constantine recall former Premier Venizelos is meeting with opposition in Athens, sentiment in favor of the king's action, despite the other principal suggestion and declare war on Bulgaria, is growing.

NOT CONFIRMED. LONDON, Nov. 21.—(Via Sayville).—The capture of Craiova, in western Wallachia, by German troops, was announced by the war office in an official statement this evening.

POINT NOT CONSIDERED. NASHVILLE, Tenn., Nov. 21.—Judge A. B. Neill, before whom Chas. C. Trabue is being tried for killing Harry S. Stokes, another attorney in the murder of April 25, today instructed the jury not to consider whether Stokes three years ago violated an agreement in regard to an impending lawsuit. The court said he was permitting Dan B. McGugin to testify regarding the agreement only that they might inquire into whether Trabue was acting in good faith when he filed a court record denouncing Stokes for the alleged violation of agreement and what was the beginning of the antagonism between the two attorneys. McGugin was one of the attorneys entering into the agreement.

BRITISH ADMIRALTY TONIGHT IN CONNECTION with the Berlin report of the sinking of a French guard vessel: "The British admiralty states on authority of the French ministry of marine that no French war vessel was sunk the 14th in the English channel."

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SANK EIGHT VESSELS. BERLIN (Via London, Nov. 21).—A German submarine sank in the English channel November 14 a French guard vessel and seven merchantmen, one of them a Norwegian, according to an official communication issued today.

The communication says: "One of our submarines in the English channel the 14th sank a French guard vessel, apparently a torpedo boat destroyer of the Arc or Sabre class, and besides six enemy merchantmen. The same U boat sank the Norwegian steamer Ullvang which was carrying war material for the French government."

FRANCE DENIES. LONDON, Nov. 21.—The following communication was issued by the British admiralty tonight in connection with the Berlin report of the sinking of a French guard vessel: "The British admiralty states on authority of the French ministry of marine that no French war vessel was sunk the 14th in the English channel."

OVERTON JURY CHOSEN. HUNTSVILLE, Ala., Nov. 21.—Ten farmers, one merchant and one clerk were chosen here today as a jury to try David P. Overton, charged with the murder of Probate Judge W. T. Lawler here last June.

The court tomorrow will pass on the plea in abatement which have been filed by former Judge B. M. Allen, attorney for Overton, and the introduction of testimony is expected to begin soon thereafter. Attorneys for the prosecution said tonight the widow of the slain man would be the first witness. Judge Allen reiterated today that his client would plead self-defense. The state has summoned forty-eight witnesses and the defense eighteen.

BENEFITS TO FARMERS. PALATKA, Fla., Nov. 21.—Benefits expected to accrue to American farmers as a result of the recently enacted farm loss act were outlined by Senator Fletcher at the opening session here today of the National Farmers' Educational and Co-operative Union of America. Governor Frank M. Hall formally welcomed the visitors to Florida.

Charles S. Barrett, of Union City, Ga., president of the union, made his annual address in which he declared that the "farmers' union will stand by its friends wherever it finds them," but asserted the union "has never been in partisan politics and never will be."

HUNTER MEDALIST. PINEHURST, N. C., Nov. 21.—Robert Hunter, of the Weebur club, Norton, Conn., was medalist in the qualifying round of the twelfth annual autumn golf tournament here today, his score being 18. Franklin Gates, of Brook Acres, was second with 14. Sixty-one players were entered.

PRELIMINARY SESSION. QUERETARO, Mex., Nov. 21.—A preliminary session of the constitutional congress was held today but owing to the delay of delegates arriving the session was a perfunctory one.

GREEK STEAMER SUNK. LONDON, Nov. 21.—The Daily Mail's Athens correspondent says the Greek steamer Spartakos has been sunk. The captain believes the vessel was torpedoed. Nearly all those on board the steamer were saved, including several nurses.

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## GOVERNMENT AND R. R. OFFICIALS WANT QUICK ADAMSON LAW DECISION

(Continued from Page One)

States to take part in the proceedings before the highest court in the land which will decide finally whether or not the law is to be enforced. The government plans to have the constitutionality of the law before the Supreme court when that tribunal convenes December 4 and to urge that it be advanced for immediate hearing.

Injunction Petition. Action in the case was taken on the injunction petition of the Oklahoma and Gulf railroad because the road is in receivership and under the direction of the Federal court. This enabled the government to ask the co-operation of the railroad in obtaining a final decision of the case before January 1. This assistance can be ordered by the court, and, as indicated by Judge Hook, will be so ordered if he decides to grant the motion. Had the government proceeded against a railroad not in receivership, it was pointed out by a member of the government counsel, the railroad might have chosen to combat the law through various legal maneuvers which would have delayed the final decision indefinitely.

Like other injunction petitions filed by many railroads, the Missouri, Oklahoma and Gulf petition is a surprise awaiting them. It is simply an action to advance the case quickly to the Supreme court which will be the final arbiter in the case.

The same view was expressed by Arthur Miller, attorney for the Missouri, Oklahoma and Gulf railroad receivers, who said the only thing to be done was to await the judge's decision.

### CROPS DAMAGED.

WASHINGTON, Nov. 21.—Widespread and severe damage to crops in the west and south was done by the record-breaking cold wave of November 10-17. The weather bureau announced today in a special bulletin damage to cotton was slight, but truck farms suffered heavily.

## SAGE AND SULPHUR DARKENS GRAY HAIR

Don't Stay Gray! It Darkens So Naturally that Nobody can Tell.

You can turn gray, faded hair beautifully dark and lustrous almost overnight if you'll get a 50-cent bottle of Wyeth's Sage and Sulphur Compound at any drug store. Millions of bottles of this old famous Sage Tea Recipe, improved by the addition of other ingredients, are sold annually, says a well-known druggist here, because it darkens the hair so naturally and evenly that no one can tell it has been applied.

Those whose hair is turning gray or becoming faded have a surprise awaiting them, because after one or two applications the gray hair vanishes and your locks become luxuriantly dark and beautiful.

This is the age of youth. Gray-haired, attractive folks aren't wanted around, so get busy with Wyeth's Sage and Sulphur Compound tonight and you'll be delighted with your dark, handsome hair and your youthful appearance within a few days. This preparation is a toilet requisite, and is not intended for the cure, mitigation or prevention of disease. Adv.

## FRANCIS JOSEPH AUSTRIAN RULER DIED LAST NIGHT AT VIENNA PALACE

(Continued from Page One)

In spite of many difficulties the dual monarchy was maintained throughout the life of Francis Joseph. The Empress Elizabeth was murdered in 1898, and the emperor's eldest son, Rudolph, died in 1889.

The New Ruler. Archduke Charles Francis, grand nephew of Emperor Francis Joseph, became heir to the throne of Austria-Hungary by the assassination of Archduke Francis Ferdinand prior to the outbreak of the war. He has been in command of the Austrian armies on various fronts during the past two years.

Archduke Charles Francis born on August 17, 1887. His wife was Princess Elizabeth, of the Bourbon house of Parma. His father was the Archduke Otto, who was the younger brother of Francis Ferdinand.

DEEP IMPRESSION. LONDON, Nov. 21.—Telegraphing from Amsterdam the Central News correspondent says: "Vienna reports that although the death of the emperor has been expected, the news, which was printed in special editions of the newspapers, made a deep impression on the public. A special cabinet meeting was held. The heir to the throne, Archduke Charles Francis, has been for some time in Vienna."

A meeting of the Hungarian cabinet has been called at Budapest. Premier Tisza will come to Vienna.

GRAVITY NOT SUSPECTED. LONDON, Nov. 21.—Intimation received here that Emperor Francis Joseph's health was again the subject of solicitation was contained in a dispatch dated November 12, emanating from a Vienna news agency, which reported that the emperor had been suffering for some days from a slight catarrhal affection. Subsequent reports from various sources, more or less conflicting, represented that his condition was becoming worse, but none of them indicated that his illness threatened to reach a critical state and from Vienna came assurances that he was still able to give audiences to one or more ministers daily.

What gave some credence to the suspicion that his condition was much graver than the official bulletins indicated was the report, which still lacks official confirmation, that he had been ordered to associate in the near to the throne, Archduke Charles Francis, in the government of the country and that he was to assume the position on December 3, on the sixty-eighth anniversary of the emperor's accession to the throne.

So far as is known here Archduke Charles is still at the front in command of the army.

### RAPID PROGRESS MADE.

CHARLESTON, W. Va., Nov. 21.—Rapid progress was made today by the state legislature meeting here in extraordinary session, in advancing the legislative program recommended by Governor Hatfield and administration leaders expressed the belief that adjournment would be taken before the end of the week.

The senate adopted a favorable report on five of the eight bills introduced on the opening day and the measures amending the law governing the removal of officers appointed by the governor and describing the manner of determining contested elections for elective state officers were advanced to third reading.

### NEGRO EDUCATORS MEET.

DURHAM, N. C., Nov. 21.—The National Conference on Education for the Betterment of the Negro, began a three-day meeting here today with the object of bringing into closer contact educators of negro youth and to find a plan to better existing conditions among the race. Negro educators from many parts of the country are in attendance.

### GROCERYMEN JOIN FIGHT.

SAN FRANCISCO, Nov. 21.—California grocerymen have joined the fight to keep down the prices of wheat, flour, sugar, canned tomatoes and canned milk, and the housewives of the state have been asked to cooperate by signing petitions for an embargo on these commodities. At least a hundred thousand signatures are wanted.

Special meeting of Intercollegiate Athletic association at New Haven. Annual bench show of Albany Dog club opens at Albany, N. Y. Annual bench show of Toy Spaniel Club of America opens at New York City.

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