

COURT DOES NOT BELIEVE THEORIES IN MOORE CASE

Characterizes Girl's Story as Fabrication - Scouts Robbery Idea.

KNOXVILLE, Tenn., Dec. 27.—Judge T. A. R. Nelson, of the Knox county criminal court, in setting aside the verdict of murder in the first degree against Maude Moore, confessed slayer of Leroy D. Harth, wealthy automobile dealer while on a joy ride, declared in effect that he did not believe either the state's theory of robbery and resulting murder, or the defendant's theory that Harth was tempted to assault her and that she shot him in defense of her life and honor.

Judge Nelson outlined what he called a third theory, which he took from a careful analysis of the evidence. He said it was his opinion that Harth and the Moore woman went on the joy ride for immoral purposes, that Harth was intoxicated and that an argument ensued over the question of money. Harth becoming angry and attacked the woman, who shot him. Judge Nelson characterized Miss Moore's story as a fabrication from start to finish, but also declared there was nothing in Harth's story warranting the assumption of a plot on the part of Miss Moore and her friend, Martin Hunter, who was indicted as an accessory before and after the fact. The contention that the woman went out to rob Harth was characterized as absurd by the judge.

If Maude Moore had come before the court and told the truth, said the court, she probably would have been freed, and most certainly would have received nothing more than a verdict of voluntary manslaughter. Miss Moore was returned to jail, but it was expected that a new bond would be made for her tonight or tomorrow. The motion for a trial in the Maude Moore case came up today, following her conviction in criminal court here a few weeks ago, when the jury which heard the evidence returned a verdict of murder in the first degree, with mitigating circumstances and placed her punishment at 21 years in the state penitentiary. In granting her a new trial Judge Nelson said the verdict was not warranted by the evidence, but added that he would have no objection to a verdict of murder in the second degree.

Kolchak Retires as Head of the All-Russian Army

(CONTINUED FROM PAGE ONE) with the threat that he would bring up additional divisions to compel the Estonians to submit to the bolshevik terms. This would probably require several weeks, and in the meantime the Estonians say they will keep a careful watch and determine whether the bolshevik will live up to their agreement, and whether it is possible to conclude "peace."

The Estonians are inclined to be pessimistic. Nevertheless the opinion is held by many that the delegates will be able to adjust the differences and reach an agreement. M. Joffe said he would refer the question at issue to Moscow. Therefore, there probably will be no resumption of the conference on the 31st.

SHIPS TRANSFERRED TO GREAT BRITAIN

NEW YORK, Dec. 27.—Seven former German ships now anchored in New York harbor, were formally transferred today to the United States shipping board by the British ministry of shipping in accordance with the order signed by President Wilson. No formal ceremony marked the transfer. British crews were placed aboard the vessels and the American flag was replaced by the Union Jack.

The transferred ships are the Graf Waldease, Pretoria, Kaiser, Auguste Victoria, Zeppelin, Mobil, Prinz Friedrich Wilhelm and the Cap Endicott. For the past eleven weeks British seamen have been waiting to go aboard the vessels.

HARVARD FOOTBALL TEAM BEGINS PRACTICE FOR GAME

PASADENA, Calif., Dec. 27.—Harvard's football players, here to meet Oregon university New Year's day, began intensive practice today. The Oregon men have reached the pink of condition, according to their trainer. "I do not know how long it will take for the tired and exhausted," said Robert Fisher, coach of Harvard, "but I will be able to tell after the first few days."

ISSUES CALL FOR ONE-DAY SESSION OF LEGISLATURE

BOISE, Idaho, Dec. 27.—Governor D. W. Davis today called a special one-day session of the Idaho legislature for February 11 to ratify the national suffrage amendment. The formal call stipulates that no other legislation may be considered.

PAY USE YOUR CREDIT For The Boy's APPAREL

EDWARD A. FARLEY Asheville, N. C. 56 S. Pack Sq.

Here Are the Demands of Laborers in Spain

WASHINGTON, Dec. 27.—Industrial troubles in Spain have the question of diet added to the problems of wages and hours, according to a report at the department of commerce today. Before making a contract to cut out a crop of oranges, Spanish women recently made the following demands: A daily wage of 10 pesetas (\$1.75); three heavy meals; breakfast of eggs in meat, dinner of soup and meat stew, supper of bacon, green vegetables and "gazpacho"; hours of work from sun to sun with two hours for meals, or noon day nap, forty minutes for each meal, three smoking periods of twenty minutes each and one for thirty minutes and a bed with two mattresses.

D'ANNUNZIO TO RESIST EFFORTS TO EXPEL HIM

FUME, Dec. 27.—(By the Associated Press).—Gabriele d'Annunzio made the announcement today that he would resist any effort to expel him from Fiume. He said he had reached the decision that the guarantees offered by the government were insufficient to warrant his leaving. That his troops be let off without punishment for joining his crusade is one of the demands made by d'Annunzio in return for his departure, as is also the rehabilitation of Fiumian and Dalmatian money. The right to reside in Fiume for any part of the Dalmatia without restriction or passport authority to decide the time and manner of departure of his forces from Fiume and official recognition of the medal he conferred on his legionaries are among the other demands by the insurgent leader.

BLOW OVERCOMES MISS RUTH KEENEY

(CONTINUED FROM PAGE ONE) Keeneey continued, "We will not take any action at all for the present."

MESSAGE FROM FATHER ATLANTA, Ga., Dec. 27.—Dr. John H. Vermilye, a local physician, whose father, Dr. Wm. G. Vermilye, went to a Brooklyn hospital Thursday instead of going to Massachusetts to get married, said tonight that in answer to a telegram the elder Vermilye had wired him, "condition of health good. Letter follows."

The Atlanta physician said that except for the brief telegram his only information about his father's approaching marriage or temporary disappearance had been from newspaper accounts. He had not heard from him directly since November, he added, and learning through newspapers today that his father was in a Brooklyn hospital had telegraphed for information as to his condition.

Dr. John Vermilye said tonight his father had been married a second time and that he thought the second wife still was living in the past wife's home. He declined to give much information but indicated the couple had been separated. He said he had never seen the second Mrs. William Vermilye.

PROBE TO BE MADE OF MEDAL AWARDS

(CONTINUED FROM PAGE ONE) ing the original lists, giving due consideration to the objections voiced by officers who have criticized some of the awards.

The names of Admiral Henry B. Wilson added to the list, who commanded American naval forces in French waters during the war, and of Rear Admiral Henry T. Mayo, who was in command of the Atlantic Fleet during the period of hostilities, were added today to the list of officers who have written the secretary regarding the awards.

Other officers who have made protests include Vice Admiral Hillary P. Jones, commander of squadron two of the Atlantic fleet, Rear Admiral Becker, commanding the seventh naval district, Key West, and Captain Raymond D. Hasbrouck, commander of the battleship Minnesota. Admiral Jones and Captain Hasbrouck refused the navy cross for which they had been recommended, supporting the position taken by Admiral Wilson.

The objections voiced by the officers will be placed before the Knight board and Secretary Daniels said today he hoped the revised awards would be approved without change.

SUFFRAGE BODY TO MEET FEBRUARY 12

NEW YORK, Dec. 27.—A call to the 61st and 75th last annual convention of the National American Woman Suffrage association was issued today by officers of the organization, headed by Mrs. Carrie Chapman Catt. The sessions will be held in Chicago, February 12 to 15.

"In other than our members and friends have been summoned to national conventions to disseminate propaganda for their common cause, to take for the time being, each other, to strengthen their organized influence, to counsel as to ways and means of insuring further progress," said the call.

This time they are called to rejoice that the struggle is over."

PERSHING'S STATEMENT ON FUTURE ACTIVITIES

LINCOLN, Neb., Dec. 27.—General Pershing today made the following statement concerning his future activities. "I have purchased the home at 1748 B Street, now occupied by my sisters and as soon as I return I intend to make it my permanent home. I will send my son Warren to the State University, and as soon as I return, as far as I know now, I expect to enter business here."

General Pershing said he was anxious to have his son graduate from the same university from which he earned a degree.

MRS. J. D. CHAPMAN WINS SILVER FOILS HANDICAP

PINEHURST, Dec. 27.—The silver foils handicap against Bogey, played at Pinehurst today, resulted in an all-round triumph for Mrs. John D. Chapman, who led the field of twenty players, with a gross of 92 and a net 88 and captured the first prize by finishing 6 up on the colonel. The class B prize was won by Mrs. L. W. Wanner, of Hemstead.

NEGROES CONFESS HAVING KILLED KATHERINE DUNN

Couple Under Arrest Probably Involved in Several Robberies.

NEWARK, N. J., Dec. 27.—Frank Kelly and Emma Robinson, both negroes, of Brooklyn, N. Y., arrested here on suspicion of having been connected with the murder last week of "Catherine" Dunn, a white woman, in the home of Clarence S. Clark, in Brooklyn, have confessed to the crime, District Attorney Lewis of King's county announced tonight. He said that he would ask the grand jury on Monday to return indictments charging Kelly with murder in the first degree and the Robinson woman being accessory.

As soon as the indictments are returned, Mr. Lewis said, extradition papers will be sought, this being made necessary by the law of New Jersey which prevents an accused from waiving the formality of extradition.

Kelly, who was formerly employed as a porter by the Brooklyn Rapid Transit company, was also questioned about the death of Mrs. Emma McDonald, a B. T. ticket agent who was murdered in Brooklyn last October. As far as could be learned, the negro insisted upon his innocence of the murder of Mrs. McDonald.

After listening to the two confessions the district attorney Lewis declared that the couple had been involved in other robberies in Brooklyn and that the negroes had been acting as the "inside capper" in numerous burglaries.

OFFICERS BELIEVE BAND OF ITALIANS MADE 'NEW DRINK'

(CONTINUED FROM PAGE ONE) Christmas candy purchases. The widow of a saloonkeeper who died yesterday said tonight that in answer to a letter she had received from a man who admitted mixing wood alcohol with other liquors. She said the poison was purchased from a druggist and he also was arrested.

BEGINS CRUSADE MINOLDA, N. Y., Dec. 27.—Walter H. Reynolds, director of the war camp community service for Nassau and Queens counties announced today that he had begun a crusade against persons who are selling hard cider and "imitation" whiskey to soldiers stationed at the aviation fields around Camp Mills. In some cases, it was alleged, wood alcohol had been sold. Officials of Nassau county are co-operating. Mr. Reynolds said.

FIVE ARRESTED PITTSBURGH, Dec. 27.—Four Pittsburgh physicians and a druggist were arrested here today by a deputy United States marshal and held in \$1,500 bail each on a charge of having violated wartime prohibition law. The physicians were charged in bills of complaint with "knowingly and unlawfully prescribing whiskey" for a special agent of the department of justice. The druggist was charged with having sold to the federal agent a quart of whiskey "for beverage purposes."

SIX MENTIONED TO SUCCEED WATSON

Shewmake, Hodges, Watkins, Buford, Mann and Turnbull on List.

RICHMOND, Va., Dec. 27.—Six names are being mentioned for congress to succeed Walter A. Watson, whose death occurred Wednesday in a hospital several days ago. Among those mentioned is Oscar L. Shewmake, who for many years was general counsel for the state corporation commission. The past year Shewmake has practically abandoned the practice of his profession and retired on his plantation.

Other names mentioned are: Colonel LeRoy S. Hodges, secretary to Governor Westmoreland Davis; Judge Asa D. Watkins, Farmville; Attorney E. P. Buford, of Brunswick; Richard Mann, former district attorney; Robert Turnbull, former member of congress; Charles T. Lassiter, of Petersburg.

A rather unusual situation developed this evening when Governor Davis' office called the announcement that the governor would take no action relative to calling a special election to fill Mr. Watson's place for several days. The announcement also was made that the successor would in all probability fill any of the unexpired term which ends on March 3, 1920.

COMPROMISE PENDING IN THE GOUGE LIQUOR CASE

PRISTOL, Tenn., Dec. 27.—Civil charges against E. Gouge, formerly proprietor of Distillery No. 125, of Bristol, Va., charged with having evaded payment of the federal tax on whiskey distilled in his plant here about three years ago, are now pending settlement by compromise and the terms requiring Mr. Gouge to release claim to 17 barrels of whiskey now held at the Bristol, Tenn., postoffice agreed upon by the parties, according to a statement issued here tonight by J. S. Ashworth, attorney for the defense.

MINERS IN KANSAS RETURN TO WORK

PITTSBURGH, Kans., Dec. 27.—Miners in district 14 of the United Mine Workers of America, were working today at all mines in the district except the Benson, Rogers and Herni mine and the Union mine of the Western Coal and Mining company. They were ordered back to work by the district executive board yesterday.

SOCIALIST CONGRESS IS IN SESSION AT GENEVA

GENEVA, Friday, Dec. 26.—(Havas).—The international congress of socialists and communist students began its sessions here today. About thirty English and German, Swiss, Slav, Austrian and American delegates were in attendance. The French representatives have not yet arrived. The congress will sit for several days.

BRUNSWICK HALL BURNS

PETERSBURG, Va., Dec. 27.—"Brunswick Hall" the country home of Alexander McRae, of New York, in Brunswick county, was destroyed by fire Friday night. Flames originated in a defective fuse. The family were in a large cottage on the estate. Practically nothing was saved. The loss is estimated at \$100,000, partially insured.

Finnish Radicals Plot Revolution in the U. S.

NEW YORK, Dec. 27.—More than 300,000 Finnish radicals in this country are organized in a revolutionary movement in league with Russian "reds," the Lusk intelligence investigating committee announced here today. Santori Nuorteva, secretary of the soviet "embassy," now at liberty on bail pending proceedings for contempt of court, was named as the link between the Finnish and revolutionaries. He is said to be a Finn, Miss Meta Kumel, a student of Finnish methods, testified at the committee's hearing that the radical Finns are enraged over the defeat of bolshevism in their own country and will go to any ends to establish it here. There are 200,000 "white" Finns in this country, she asserted, who are vigorously opposing the radicals.

MORE DEATHS OCCUR AS RESULT OF USING POISONOUS WHISKEY

(CONTINUED FROM PAGE ONE) sons in Chicopee and Holyoke, Mass. Fifty cents a drink, or \$7.50 a quart, was the price of the "liquor" here.

District Attorney Martin, of Bronx county, said tonight he had received a telephone message from his assistant, who is in Hartford, Conn., stating that the barrel of wood alcohol "whiskey" which was responsible for a number of deaths there, was originally purchased from a Green street warehouse in New York.

The liquor, he said, had been bought by a man from the Bronx, resold to Hartford parties and delivered by automobile truck.

The district attorney said he had the name of the man from whom the liquor was purchased and of several others who were implicated in the deal. Detectives are now looking for them.

NEW REGULATIONS

WASHINGTON, Dec. 27.—Stringent regulations were issued today by the treasury to prevent intoxicants from entering the country from ships arriving from foreign ports.

Liquor properly lined at sea stores must be placed under seal by the boarding officer of the customs service and kept sealed during the entire time of the vessel's stay in port. No part of such stores may be removed from under the seal for any purpose while the vessel is in United States waters, the regulations state, which denies to foreign crews the ration of wine served with meals on some ships under other flags.

Excessive liquor stores, no longer being dutiable, are subject to seizure. Liquors properly carried may be returned to a foreign port on the vessel's changing from the foreign to the coasting trade, or may be transferred under supervision of the customs while the vessel is in foreign trade, delayed in port for any cause to another vessel of the same line or owner.

Customs officials are not greatly concerned over the possibility of liquor being smuggled into the country and the new orders are believed to close the last hole through which intoxicants might reach domestic consumers. With all liquid refreshment under seal, it was said, there will be no opportunity for "bootlegging" to be carried on around the wharves.

THREE MORE VESSELS ARE LAUNCHED AT NEWARK, N. J.

NEWARK, N. J., Dec. 27.—With the launching of three vessels at the Submarine Boat corporation's plant here today, the number of ships built for the United States shipping board at the yard since May 30, 1918, reached 102, representing a total deadweight of 545,700 tons. The output establishes a world record in modern shipbuilding, according to Henry R. Sutphen, vice president of the corporation.

TENNESSEAN REPORTED KILLED AT SUMMERFIELD

TRACY CITY, Tenn., Dec. 27.—News has been received by the sheriff's office here that James Clippert had been shot and killed at Summerfield, on the Cumberland mountains, by Jorban Aylor, who is said to have been acting as a scout for federal revenue officers. No particulars of the killing are available.

DETROIT PAPERS TO RAISE SUNDAY EDITIONS PRICE

DETROIT, Dec. 27.—Beginning January 4th, Sunday editions of the Detroit News and the Detroit Free Press, will be advanced in price to ten cents, it was announced tonight, advancing cost of publication was given as the reason for the two-cent increase.

SALOON MEN ARE FINED

NEW ORLEANS, Dec. 27.—Twenty-four saloon men of New Orleans faced Judge Rufus Foster in federal court here today as a result of department of justice activities. Nine entered pleas of guilty and were fined \$50 each. Trials of the others will be held next week.

ASK FOR TROOPS TO PROTECT STEEL WORKERS

DENVER, Colo., Dec. 27.—A request for troops to protect workmen at the Minqua plant of the Colorado Fuel and Iron company at Pueblo has been made tonight, Adjutant General Spangler immediately began preparations to send a detachment of the national guard.

WILDE AND ASHER MATCHED

ST. LOUIS, Dec. 27.—Jimmy Wilde, English flyweight champion and "Dabe" Asher, bantam champion of the A. E. F., will fight the eighth round of a boxing bout here tonight. Wilde will train in Milwaukee, it was said.

SEVERAL ILL

LAKE CHARLES, La., Dec. 27.—Several persons are dangerously ill here as a result of drinking a whiskey substitute branded "Jamaica ginger," 25 per cent alcohol. Officers are investigating the sale of the substitute.

FIRE AT CAMP PIKE

LITTLE ROCK, Ark., Dec. 27.—Fire starting late this afternoon at Camp Pike destroyed two mess halls and two barracks buildings and partially destroyed two additional barracks buildings. All were unoccupied. The origin of the fire is unknown.

FIELD TRIALS CLUB TO MEET

MONTGOMERY, Ala., Dec. 27.—The Alabama Field Trials club today announced that the annual meeting would be held at Decatur, Ala., the week commencing February 2.

TEDDY'S MOTHER PRAISES EL VIGOR

Douglasville Woman Grateful for What El Vigor Did for Her Son—Like Different Boy.

"Teddy is just like a different boy since El Vigor relieved him of kidney trouble and that breaking out on his skin," said Mrs. K. A. Ergle, living on Route No. 2 out of Douglasville, Georgia, speaking of her son Theodore. "Ted's stomach and kidneys had been out of order for more than a year and he grew puny and yellow. He was nervous and scary and restless at nights; didn't have any appetite. His skin began to break out in little sores that bothered him a whole lot and worried me because I didn't know what to do for him." "It is just remarkable how El Vigor has helped my little boy. Within a few weeks after he began taking it, his skin cleared up and he began to eat heartily. Then his cheeks began to show roses again and all the little sores and scars disappeared. He never has a bit of trouble with his kidneys anymore and he romps and plays like other children." El Vigor is sold in Asheville by the Smith's Drug Store—the home of the careful druggists. Advt.

THREE BAD ACCIDENTS IN HICKORY CHRISTMAS DAY

Charles Ballew Killed by Train—William Shook Burned to Death.

HICKORY, Dec. 27.—As a result of an automobile accident late Wednesday afternoon, Charles Sipe, 10-year-old son of Cicero Sipe, lies in a serious condition at a local hospital today with chances against his recovery. The boy, who, with two other lads, was returning on wheels from Newton with fire-crackers, was run down by W. A. Self, well known Hickory lawyer, who was not aware of the accident until he had reached home, eaten his supper and gone to his office. The most serious injuries were about the face and head.

Charles Ballew, a 14-year-old boy, was run over early Christmas morning by a freight train near Drexel and his body found about daylight. With other young men he had remained in the Drexel depot until nearly 4 o'clock, when he started walking towards his home. The funeral was held this morning.

William Shook, nearly three years old, was burned so badly at Longview, a Hickory suburb on Tuesday, that death relieved the child's suffering the next day. He was left by his mother, Mrs. Will Shook, in a room while she went out for water and on her return found him in flames. The mother's hands were painfully burned in attempting to put out the flames.



D. W. GRIFFITH SCARLET DAYS AT THE OLDEN WEAVER A Guarantee of Success Picture Strand, Friday and Saturday

SOUTHERN RAILWAY ASHEVILLE STATION

Table with columns for Train, Arrives, and Departs, listing various routes and times for the Asheville station.

THE OLD Year Not Gone YET!

The old year should not be thought of as a figure of age, but of wisdom. And we should take wisdom from it.

If 1919 has taught us the wisdom of thrift, a Savings Account offers the best method whereby we may employ our wisdom, and we should ACT before a new year replaces the old.

CENTRAL BANK & TRUST Company South Pack Square

IS YOUR INCOME PROTECTED?

The Equitable Life Assurance Society can protect it with a non-cancellable health and accident policy. Once a policy is issued, it cannot be cancelled by the Society for any reason whatsoever, as long as premiums are paid. The company is also issuing a new copyrighted policy.

We will be glad to furnish details with regard to these contracts.

J. J. CONYERS & C. B. LYNCH, Agents. Phone 682—Room 27, American National Bank Bldg.

WHY IS A GUARANTEE

Guarantee sounds good, but as one of our clients said "Sometimes it doesn't mean anything."

When we accept your title for guarantee title insurance there goes with it our absolute guarantee backed by Service and Experience that from that moment it will be devoid of trouble making possibilities.

Bankers Trust and Title Insurance Co. 55 College St. Phone 1351, Asheville, N. C.

ENGLAND'S GOLF MASTERS By FRANCIS QUIMET.

I have just finished reading a story from the pen of an English expert to the effect that their great golf trio—Vardon, Taylor and Braid—are slipping. I had better believe that this critic has become unreasonably alarmed and is following British custom when their idols in sport fail to come through, as this triumvirate failed to come through this past season, knocked out their heavy-weight Beckenbushes only they were dumbfounded. So it is in golf since Mitchell and Duncan, far younger players, won most every title from the Big Three this past season. The English immediately thought the latter were done.