

# Fall And Doheny Freed Of Conspiracy Charges By Jury In Washington

## Verdict Came After Jury Deliberated 19 Hours on Charges Growing From Oil Leases.

### OTHER CHARGES AGAINST THEM

#### Defense Predicts These Will Be Dropped.—Defendants Unable to Disguise Happiness.

Washington, Dec. 16.—(AP)—Albert B. Fall and Edward L. Doheny were acquitted today of the conspiracy charge which grew out of the Senate oil disclosures.

Nineteen hours after the case had been placed in its hands, a jury in criminal court here decided there had been no proof of criminal conspiracy in the oil leasing negotiations of 1922 and 1923 resulting in the award of government leases to the Doheny interests, while Fall was secretary of the interior, and after Doheny had sent him \$100,000 in a little black satchel.

The verdict was returned a few minutes after Justice Hoehling had reconvened court, after an overnight recess.

At the opening of today's session the judge indicated that if no verdict was reached he would hold the jury over another night, at least. Five minutes later, however, a message came to the bench that an agreement had been reached. The jurymen filed into the box, and at 10:07 their foreman announced a verdict of acquittal. The case had been placed in the hands of the 12 men at 2:47 p. m. yesterday.

The verdict ended the conspiracy proceedings against the former cabinet official and the oil magnate, as no appeal is possible. They are still under indictment for bribery, however, as a result of the \$100,000 transaction. Their counsel believe that that charge will not be pressed, but the prosecution indicated today that no decision to drop the bribery charge had been reached.

Fall and Harry Sinclair, with whom he also negotiated an oil lease also are under both conspiracy and bribery charges.

The defendants and their relatives received the verdict with indignant emotions. Mrs. Fall wept in indignation, giving way unsharply before the crowded courtroom. Fall himself said that his confidence in the court "had been justified."

"I have said all along that I would leave it to the courts, and that I had confidence in them," he said. "I have never liked to try a case in the newspapers, and I have nothing else to say now."

Doheny said that he was "gratified" and that "the ordeal has been a terrible one." From her sick room at the Carlton Hotel Mrs. Doheny sent word to defense counsel that her joy was "inexpressible." "My prayers have been answered," said her message.

Owen J. Roberts, of government counsel, had only this to say. "It has been submitted to twelve men and fairly submitted. Of course we will go along with the other case."

#### Daniels Denounces Verdict.

Raleigh, Dec. 16.—(AP)—The verdict of the Fall-Doheny conspiracy trial was denounced today by Joseph Daniels, former secretary of the navy, as "the worst thing that has happened to free people since the barons obtained Magna Carta at Runnymede."

He declared all the efforts he had made during his service as secretary of the navy and those of other barons had been sacrificed by the oil leasing policy of the administration which followed.

"What I would have to say on the Fall-Doheny verdict is not guilty would have to be printed on asbestos, as it would burn up any newspaper," he told the Associated Press when informed of the verdict. "It is the worst thing that has happened to free people since Runnymede."

#### Oil Case In Nutsell.

May 31, 1921.—President Harding transferred the oil reserves from the navy to the interior department.

November, 1921.—Edward L. Doheny sent \$100,000 to Interior Secretary Albert B. Fall.

April 19, 1922.—Doheny's Pan-American Petroleum and Transport Company was awarded the Peard Harbo contract, carrying a clause giving it "preferential rights" on future leases in the Elk Hills oil reserve.

December, 1922.—Doheny's Pan-American Petroleum and Transport Company was awarded the Peard Harbo contract, carrying a clause giving it "preferential rights" on future leases in the Elk Hills oil reserve.

February, 1924.—Secretary of the Navy Denby, who with Fall had approved the leases, resigned from the cabinet.

May, 1925.—Fall and Doheny were indicted for criminal conspiracy in the District of Columbia.

May, 1926.—Federal Court in Los Angeles invalidated Elk Hills lease, a decision subsequently affirmed by the court of appeals, and now on appeal in the supreme court.

November 22, 1926.—Trial of Fall and Doheny began in Washington.

# CHARGES GERMANY IS MAKING ARMS

## Charge Made in the Reichstag and Caused Demonstration—Says Arms Are Kept in Russia.

Berlin, Dec. 16.—(AP)—Bohdan broke loose in the reichstag today when Philipp Scheidemann, head of the social democrats, attacking Defense Minister Gessler, charged that a secret fund existed in the budget for the manufacture and hoarding of arms, and airplanes in Russia.

To this the right parties shouted, "Traitor," "Blackguard."

Pointing to the diplomatic box in which foreign representatives, including American Ambassador Schurman, were seated, the nationalists cried, "Why reveal these things to our enemies?" then they left the chamber.

# JAPANESE EMPEROR'S CONDITION IS CHANGED

## All Princes and Princesses of Royal House Called to His Bedside.

Tokyo, Dec. 16.—(AP)—All of the princes and princesses of the imperial family left here on a special train late tonight for Hayama, where Emperor Yoshihito lies near death as the result of an attack of bronchial pneumonia. Hayama is only an hour's ride from Tokyo.

A bulletin issued at 9:20 o'clock tonight said the condition of the Mikado was practically unchanged. He suffered a relapse during the afternoon after having shown improvement in the last two days.

# Florida Bus Drivers On Efficiency

Daytona Beach, Fla., Dec. 16.—Buses drivers here have gone on an efficiency basis.

Buses going across the state on a five minute schedule, to keep the schedule the drivers had to pass a timekeeper.

Thinking this extra expense, the drivers got together and invented an automatic time signal.

They got an alarm clock, removed the glass face, set a series of contact points at each five-minute interval of the large hand, connected these contacts with batteries and an electric bell, encased the entire works in a wooden box, and wound the clock.

Then they fired the timekeeper. Today, at regular five-minute intervals, an electric bell rings in front of Casino Burgoyne, and a bus rolls out.

# Jesse Wyatt Is Given Back His Citizenship.

Raleigh, Dec. 15.—Jesse H. Wyatt was restored to citizenship here today. The order was signed by Judge W. M. Bond in Wake county superior court.

Wyatt, former captain of detectives of the Raleigh police force, lost his citizenship when he was convicted of killing Stephen S. Holt, Smithfield attorney, in June, 1925. The former officer was sentenced to serve eight months in State prison, but was paroled by Governor McLean before he completed it.

The killing occurred near Raleigh when Wyatt mistook Holt's car for a rum runner and fired upon it. The lawyer was instantly killed. Public indignation followed the incident and Wyatt was rushed to state's prison to avoid possible mob violence.

Public interest in six-day racing shows that while the bicycle may have lost its position as a popular means of transportation and recreation, it certainly has not lost in favor as a popular means of providing entertainment.

American company was awarded a lease to the Elk Hills reserve. March, 1923.—Fall resigned as secretary of interior.

January, 1924.—Doheny told the Senate oil committee he advanced Fall \$100,000 as a private loan.

February, 1924.—Secretary of the Navy Denby, who with Fall had approved the leases, resigned from the cabinet.

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### Sentinel Wins Views.

Washington, Dec. 16.—(AP)—Senator Walsh, of Montana, prosecutor of the Senate oil inquiry which led to the conspiracy charges against Albert B. Fall and Edward L. Doheny, put into one sentence today his mental reaction to the verdict of acquittal.

"Proof in a criminal case must show guilt of the defendant beyond a reasonable doubt," he said, "and in view of that rule I apprehend that the widespread conviction that the transaction was a reprehensible one will not be dissipated."

# Red Taped



## Mrs. Marbury Taylor, former French actress, was held up at Ellis Island when she arrived in America with her husband, former A. E. F. captain, because of an irregularity in her passport visa. She was on her way to visit her mother at Richmond, Va.

International Newsphoto

# SMITH NAMED FOR SENATE AND PLANS TO ACCEPT OFFER

## Declines to Be Guided by Republicans Who Urged Him Not to Accept the Appointment.

# FIGHT OVER SEAT IS NOW CERTAIN

## It Is Said Republicans Did Not Want the Fight to Come at Present Session of Congress.

Chicago, Dec. 16.—(AP)—Frank L. Smith, United States Senator-elect from Illinois, has been appointed to the senate seat of the late W. M. McKinley, has accepted and will go to the capitol in a few days.

Governor Small's action in naming Col. Smith to complete the unexpired term was hastened, the Chicago Herald and Examiner says, by efforts of republican leaders to dissuade the former head of the state commerce commission from accepting.

Col. Smith acknowledged that Senator James E. Watson of Indiana, a close friend, telephoned him yesterday urging that he decline the appointment, to avoid precipitating a senate fight over his seating because of the revelations of the Congressional investigation of campaign expenditures.

"At the general election on the second of last month," Governor Small said "after an exhaustive public campaign, the people of Illinois chose Frank L. Smith by a decisive vote for United States Senator. In the six weeks that have elapsed since that date not a charge or suspicion of dishonest influence or corruption at that election has been made. It was a fair and general election."

#### Will Face Opposition.

Washington, Dec. 16.—(AP)—Senator-elect Frank L. Smith, of Illinois, will face vigorous opposition if he attempts at this session of Congress to take the senate seat vacated by the death of Wm. E. McKinley.

This opposition includes even personal friends, who are members of the senate. They have attempted to persuade him in the interests of the party's legislative program not to accept the appointment to the vacancy and thus precipitate a lengthy fight over campaign expenditures which might in view of the shortness of this session, make necessary a special session of the new Congress by preventing passage of essential measures. Smith, however, has been represented as declining to get his side of the controversy before the senate.

#### Presses Suppress Book.

Among the traditions mentioned in the book, entitled "Pre-Islamic Poetry," is the visit of Abraham to Mecca and the origin of the Black Stone venerated by Moslems.

The book, published last year, caused the high priests to make a stir about what they called an "outrage to Islam," and they demanded the dismissal of Dr. Hussain from his professional post. They failed to bring about his dismissal, but they succeeded in having the whole edition of the book bought up and the type destroyed.

Members of the family of one of the defending lawyers have sent a statement to the press disowning their relative on the grounds that the family cannot recognize a man "who undertakes the defense of an infidel."

#### Law Protects Religions.

The Egyptian constitution asserts the right to liberty of opinion and to its free expression "within the limits of the law." The law provides penalties against defamation of any religion, whether Moslem, Christian, Jewish or any other, for the reason that in a cosmopolitan country like Egypt attacks on the religious views of others are liable to lead to breach of the public peace.

If Dr. Hussain is held for trial, the courts will be called upon to decide whether assertions such as he made constitute an "attack" on the Moslem faith, such as the law intended to punish.

#### Southern Railway Headquarters May Leave Washington.

Washington, Dec. 16.—Reports that the operating headquarters of the Southern Railway might move away from Washington brought from Fairfax Harrison, president of the road, the following statement:

"No decision has been reached as to where our operating headquarters are to be in the future. Such a decision cannot be made until we know certainly that we must move from the location where we have been established for forty years. If and when Congress shall authorize the expropriation of our Washington office building, our decision as to the future will be made promptly, and that decision will be solely on the merits of the company's own problem of efficient administration."

The report became current as a result of the government's new building plan for the capitol. Under this plan much property in the vicinity of the Southern's building here will be taken over for government building projects.

#### Ten Pages Today Two Sections

# Santa Claus Abandons Reindeer; Adopts Airplane With Parachute

(By International News Service) Newburyport, Mass., Dec. 16.—Santa Claus, instead of using the time-honored chimney in making his descent upon Newburyport, adopted the more modern plan of dropping from an airplane with the aid of a parachute. The descent was made on the marshes at Plum Island as a matter of safety, after which he and his bags were bundled into an automobile and rushed to this city where a throng of young people were waiting to extend a grand reception.

Prior to arriving at Newburyport old St. Nicholas stopped in Boston long enough to visit the offices of Frank A. Goodwin, registrar of motor vehicles and obtain permission to make his airplane descent, which as far as known will be the only one of its kind in New England.

Plans for the reception of the annual visitor were completed in every detail. The children's committee receiving the co-operation of a committee of merchants in the arrangements for a Christmas costume parade of children.

The affair provided a novelty very much different from any previous event of its kind in this vicinity.

# FOR HIGHWAY POLICE

## Only Objection Seems to Be the Cost of Maintaining It.

Raleigh Tribune Bureau Staff Writer Hotel By J. C. BASKERVILLE

Raleigh, Dec. 16.—That a most determined effort for the creation of a state highway police force or constabulary by the forthcoming organizations and state departments appears now as a fact, the opening gun of which was fired here Wednesday afternoon in an extended conference between C. W. Roberts, of the Carolina Motor Club, Albert H. Cox, attorney for the club; R. A. Doughton, commissioner of revenue; Frank Page, chairman of the State highway commission, and a number of others who are interested in the matter.

However, there are indications that all is not going to be fair sailing for the highway police advocate, despite the fact that an act creating a State constabulary is being urged by the North Carolina Automobile Trade Association, the Carolina Motor Club, the State highway commission and the State department of revenue, while a number of other State departments and officials are known to be in favor of such a measure including the insurance department and the opposition is not to the principle but the high ways should be policed for virtually every one is in favor of some measure that will curb the number of traffic accidents—but is due largely to the cost of maintaining such a police force.

The first definite, tangible plan for a State highway police force was presented for discussion to the conference yesterday, and it is understood that this plan, in the form of a bill, will be the basis for a similar bill which will be offered to the legislature.

The bill, which was drawn by Albert L. Cox, provided into four patrol districts, with forty policemen, with the necessary officers to each district and patrol. Each patrol would be under the command of a captain who in turn would be responsible to the superintendent of State police, who would be appointed by the governor with the approval of the senate. The rate of pay for the men and officers would be fixed of course by the legislature.

But that is just where the rub comes. Those who advocate the system admit that it will be expensive, since the right type of men cannot be obtained at a cheap price, since a police system that was not made up of the proper type of men would be a liability, and it is generally agreed that it would not be possible to get officers of the proper intelligence and character for less than an average salary of \$2,500 a year each. Then it would cost at least \$1,000 a year additional to equip each patrolman and maintain his equipment—even more, since motorcycles are being discarded in favor of small, fast automobiles for highway patrol duty in many states. Thus the minimum cost per year per man would be at least \$3,500.

So the question of how such a police force is to be financed becomes a most pertinent and vital one. The advocates of the patrol force are going to urge a statewide driver's license law, under which every operator of an automobile must be licensed by the state, after proper examination and whether owners of an automobile or not. The Automobile Dealers' Association proposes that such a license cost \$1.50, but others think it should not be more than \$1.00. And in the rural districts opinion is already solidified against any tax for drivers of cars. And there will come the final rub in the legislature. But its advocates point out that this driver's license law, if passed, would yield at least \$1,000,000 in revenue.

#### Hotel Man Absent When Case is Called.

Salisbury, Dec. 15.—As a result of a raid on the Rowan Inn, formerly the Terminal Hotel, cases were called in county court today against the proprietor, George Doby, and two couples arrested in the hotel at the time of the raid. Doby, who was charged with maintaining a nuisance, operating a bawdy house and having liquor for sale, failed to show up for trial.

The legend that Christ's crown of thorns was made from the twigs of holly and that the berries sprang from his sacred blood raised the tree to high esteem in the early days of Christianity in Europe.

#### Charlotte Speedway Facing Bankruptcy.

Charlotte, Dec. 15.—Charlotte speedway is in a bad way and faces the possibility of a receivership or bankruptcy. It became known today when G. W. Roberts, of Charlotte and Greensboro, general manager, admitted that the poor attendance at the Armistice day races had put the association "in the hole."

However, Mr. Roberts said that no move had been made toward either a receivership or bankruptcy and said that there is a good chance that the association will "pull through" without going under.

Mr. Roberts said that auditors are now at work on the books of the association and indicated that a report showing the exact status of the association is expected within the next few days.

#### Astronomers Plan to Shoot Bomb to Moon.

Berlin, Dec. 16.—(AP)—An attempt to hit the moon with a bomb is the announced purpose of a newly founded astronomical society, of which Dr. Franz Hoerl, noted Viennese astronomer, is one of the leading members.

Discounting American plans for shooting a man up to the moon as "a bit too fantastic," Dr. Hoerl is quoted as saying the society will attempt next year to obtain virtually the same scientific results with a light-bomb rocket weighing about one ton. The moon rocket on which engineers and savants are now working is designed to reach the moon in 10 hours, propelled through space at the rate of a little more than six miles a second by a series of powder explosions within. When the rocket lands the impact is intended to explode a huge chemical bomb, the blaze of which is to be sufficiently brilliant to be observed from the earth.

#### Applause Too Heavy, So Paderewski Quit Stage.

Oxford, Eng., Dec. 16.—(AP)—Paderewski has his own ideas concerning inconsiderate applause and he did not hesitate to show his dislike to the custom of prolonged clapping during a concert here.

The pianist responded for several encores. After completion of one of his best known pieces, however, he applause was louder than ever. Paderewski finally went to the instrument and held his hands over the keyboard indicating his willingness to give an encore. Nevertheless, the audience continued to clap with unceasing vehemence, meant to convey enthusiasm, but which Paderewski considered altogether tactless and with the result that he frowned, ran his fingers through his hair, and stalked off the platform.

# MELLETT'S AIDE IS CALLED TO TESTIFY AGAINST McDERMOTT

Canton, O., Dec. 16.—(AP)—O. E. Crouse, Canton sinking fund trustee, testified in the trial of Patrick Eugene McDermott, charged with the murder of Don R. Mellett, Canton publisher, that he saw McDermott and Ben Rudner, also charged with the murder, in front of Canton police headquarters the Sunday night preceding the murder.

Chas. Gaston, circulation manager of the Canton Daily News, took the stand, and testified McDermott on the afternoon of July 15, the date of the murder, came to his office and said he wanted to see Mr. Mellett.

"I told him Mr. Mellett was in the business office," Gaston testified, "He left, and I followed him to the business office where he stopped in front of a big window and watched Mr. Mellett about half a minute. Then he left."

#### McDermott Identified.

Canton, O., Dec. 16.—(AP)—Patrick Eugene McDermott, on trial for the murder of Don R. Mellett, publisher of the Canton Daily News, was "identified" twice by state's witnesses today.

Charles Gaston testified McDermott came to the Daily News office the day before the murder and asked to see Mr. Mellett. Gaston is circulation manager of the News.

Previously O. E. Crouse, Canton sinking fund trustee, had testified he had seen McDermott go into police headquarters, the Sunday night preceding the murder.

Gaston declared McDermott came to his office the afternoon of July 15th and asked to see Mr. Mellett and was told he was in the business office. McDermott went out and Gaston said he saw him watching Mellett through a window.

E. L. Mills, on cross examination, inquired about the campaign Mellett is said to have waged in the News against vice conditions in Canton.

He also asked Gaston if the News had ever "paid a bootlegger fine" and "printed stuff from a disbarred attorney."

Gaston replied he did not know. Frank Woods told of having a conversation with Al Ben Rudner, also charged with the murder in which Rudner told him he expected to be framed in this case.

Wood said Rudner told him he was going to be framed, because he and Burton (Detective H. B. Burton, of Columbus), had had words in front of Canton police headquarters, and he had knocked Burton down.

John Van Allman, the next witness said a man under the name of Chas. Thompson roomed at his house in July and left on a Friday. Mellett was killed shortly after midnight on the morning of Friday, July 16th. He identified McDermott as the man who made his departure known."

Vere Van Gunten then testified. He corroborated Van Allman's story and also identified McDermott as "Thompson."

#### Check Flasher's Obituary Read to Him—Alive.

Asheboro, Dec. 16.—A case in Randolph Superior Court last week which had a most unusual angle to it was that against an aged man, Henry Williams, charged with forging checks. Williams, after forging the checks, left for Florida and from the town in that State in which he took refuge there was sent to North Carolina newspapers an account of his death. This account was published in some of the daily papers in that State and also in the local newspapers of this county. Williams was found very much alive, however, when he was brought into court last week. His obituary was read to him in open court by the prosecuting attorney Williams, however, stoutly denied being the author of the obituary. He was sentenced to the penitentiary for a term of not less than one year.

There will be a special free foot demonstration at Ivey's Shoe Store on Friday, December 17th. Go out a few years ago a credit to such universities as Yale and Harvard.

"And if liquor were again free, the good roads would be a menace, not a blessing to the people, with drunken drivers on them." The judge said he would take to the woods instead of using the roads if there was sale of liquor legalized.

The economical effects have been wonderful, he said, with North Carolina solid in prosperity in North Carolina. Never has there been such a transformation as has come about because of prohibition, he said, "with the people who used to say that taxes from the liquor business were needed for education being utterly confounded. Why, the fine school buildings in the rural districts, built since prohibition became effective, would have been a few years ago a credit to such universities as Yale and Harvard."

"I had a million Atwater Kent radios in existence. The York & Wadsworth Company has just received another big shipment. Silk hosiery for gifts, 38 cents at J. C. Penney Co's. See ad. Big lot of fresh oranges, cheap at Cline & Moore's. All kinds of Christmas fruits. They will buy your country trees.

A small payment down will put a Columbia into your home now. For further particulars see the ad. of the Concord Furniture Company.

Give useful Christmas gifts. The Parks-Bell Co. has them. Christmas box free with shirts from \$1.98 up. See list of some things to give men for their new ad. today.

Give a Victor record for Christmas. Theatre again today.

A fine lot of children's handkerchiefs for 25 cents at Fisher's.

You may get gifts at S. W. Presslar's that will last and in later years will recall pleasant memories. See list in his big new ad. today on page five. Everything for father, mother, sister, brother or sweetheart.

Give a Victor record for Christmas. A big selection at Bell & Harris.

It is not yet too late for you to have your photo taken for a Christmas present. See ad. of the Boyd W. Cox Studio.

Special prices on oranges and apples by the box at Cabarrus Cash Grocery Co.

The latest silk muffler at W. A. Overcash's \$3.00 to \$7.50. In plaids and beautiful color combinations.

## Nothing You Can Give For A Christmas Present Would Be More Appreciated Than A Year's Subscription To Either The Tribune or Times

If you subscribe for next year we will give you the remainder of this year free.

THE TRIBUNE will be a reminder to your friend or loved one six times every week of your thoughtfulness and kindness.

# BAPTISTS FACED WITH DEFICIT AT MEREDITH COLLEGE

Raleigh, Dec. 16.—(AP)—Faced with demands for payment on a million dollar mortgage, the general board of the Baptist Convention has been meeting here next Tuesday.

Plans for the reception of the annual visitor were completed in every detail. The children's committee receiving the co-operation of a committee of merchants in the arrangements for a Christmas costume parade of children.

The affair provided a novelty very much different from any previous event of its kind in this vicinity.

# BEAUTIFYING THE HIGHWAY

## Drive to Enlist the Aid of Property Owners Along the Highways.

(By International News Service) Atlanta, Ga., Dec. 16.—Have you donated your trees?

That may sound out of order to some folks, but it's strictly business with the Hapeville, Georgia division of the National Dixie highway auxiliary.

And, being business, at a recent meeting more than a hundred trees were subscribed by the auxiliary as the result of a drive to enlist the aid of property owners of the section in beautifying the highway.

The purpose of the auxiliary, as outlined by Mrs. Norman E. Sharp, Georgia, vice president of the national organization, is to beautify the Dixie highway from Michigan to Miami by conserving the natural growth and planting native shrubs, vines and memorial trees.

Much work along this line has been accomplished in other states, Ohio taking the lead, said Mrs. Sharp. It is planned that more trees be planted at regular intervals along the highway, alternated with flowering shrubs.

State Forester B. M. Lufburrow also was a speaker at the meeting, discussing the characteristics of the different species of trees and urged planting for the future.

# With Our Advertisers.

There will be a special free foot demonstration at Ivey's Shoe Store on Friday, December 17th. Go out a few years ago a credit to such universities as Yale and Harvard.

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