

STOCK SUBSCRIPTION FOR COUNTERWEIGHT

MR. HOWLAND'S REPRESENTATIVES AMEND PLAN.

Asheville Will Be Asked to Subscribe Only \$10,000 and That in Personal Stock.

The committee of the board of trade appointed to consider the proposition of Mr. R. S. Howland for a counterweight railroad to the summit of Sunset mountain reported substantially as follows:

That all classes of our citizens agree that Mr. Howland is deserving of every praise in his endeavor to establish such counterweight railway and again open a park on Sunset mountain.

That our business men especially state that it would be the greatest drawing card we could have, and that they sincerely hope that the road will be constructed.

That while all are interested and desirous of seeing the road established, the numerous subscriptions made during the past few years to various deserving and commendable enterprises, together with the large assessments for street improvements and other public work, have brought us to the point where we cannot well afford at this time to subscribe to any considerable extent to such a fund as that set forth in Mr. Howland's proposition, and the opinion has been formed upon this committee that the sum required, \$20,000, can scarcely be raised by subscription, owing to the facts set forth above.

As a committee, we recommend that these findings be presented to Mr. Howland, in thorough appreciation of his proposition and of the benefits to be derived therefrom by the city, with the hope that either the proposition can be so modified as to require a less amount to be subscribed by the citizens, or that the matter can be brought to the attention of outside capital and such interest and co-operation secured.

The committee further reported that in their opinion, based upon the statements of Mr. Tingley as to the amount of traffic carried by the old Sunset road, the proposed counterweight road would be a paying investment.

Mr. R. H. Tingley, the New York engineer who has the gravity railroad enterprise in charge, and others authorized to act in Mr. Howland's absence, have amended their plan in accordance with these suggestions, and will offer for subscription to the Asheville public ten thousand shares of

TRIAL OF GILLILAND CASE IS BEGUN IN THE SUPERIOR COURT

Jury Is Selected and Pleadings are Read at Afternoon Session. Featherstone Case Is Continued Until Next Term After Heated Argument.

After disposing of the few remaining jail cases and providing that the bond cases should be continued, the Superior court yesterday afternoon turned its attention to civil business and the case of the six Gilliland children against the county board of education and the school committee of Avery's creek township was called. The afternoon was spent in selecting the jury and reading the pleadings and work will begin in earnest when court convenes this morning at 9:30 o'clock.

That much interest is being taken in the case was evidenced yesterday by the large number of spectators in the court room when the case was taken up and it is expected that there will be even more visitors present today and tomorrow while the evidence is being heard. The unusual nature of the case, and the fact that the case affects a large percentage of the residents of Avery creek Township, make it one of the most important actions tried in this county in some time and the outcome will be watched with great interest.

Judge Henry B. Stevens and Lou Craig appeared yesterday for the plaintiffs, while J. C. Martin and J. D. Murphy represented the defendant. These gentlemen spent much time in selecting the jury and it was only after a great deal of questioning that men acceptable to both sides were found. The jurors impaneled are:

E. H. Brown, W. P. Warren, J. R. Lanning, W. T. Porter, T. J. Dillingham, G. D. Allison, Foster Stevens, C. S. King, J. A. Davis, T. B. Buckett, C. W. Brown and J. C. Curtis.

Will Begin Suit for Heavy Damages Against Featherstone

A civil suit for heavy damages will this morning be instituted on behalf of Mrs. Kate Wiggins against A. A. Featherstone on account of the injuries and humiliation suffered at the time the defendant kicked her out of his saloon on North Main street two months ago.

This action is taken as the result of the continuance by Superior court of the criminal prosecution begun at the time of the assault. When the judge

The pleadings, consisting of the complaint, answer and an amended complaint were read when the jury had been selected and court then adjourned.

Second only in interest to the Gilliland case was the argument on the proposition to continue the Featherstone case which occurred earlier in the day. The attorneys for the defendant seemed willing that the case be continued for the term but the attorneys for the private prosecution were strongly in favor of an immediate trial if one could be had. After hearing what each side had to say on the question Judge McNeill ordered that the case be continued.

The following cases were considered during the day:

Alexander Lyda, larceny, plea of not guilty, entered, sentenced to serve our months on the roads.

Joe Lytle, Ed Williams, Zeb Grant, maintaining a nuisance, not guilty.

Hercklah Dixon, larceny, pleaded guilty, sentenced to serve sixty days on the roads.

Perdie Bailey, assault, on appeal from civil court, plea of not guilty, entered, judgment suspended.

Bob Duncan, assault, on appeal from police court, heretofore pleaded guilty, judgment suspended.

Bob Duncan, escape, heretofore pleaded guilty, sentenced to serve eighteen months on the roads.

Bob Duncan, injury to city property, heretofore pleaded guilty, judgment suspended.

George Bryson, larceny, heretofore pleaded guilty, judgment suspended.

It was a case of such public moment that the interests of the people called for its trial, and that it had now become necessary to start a proceeding which would be effective in punishing the defendant. He stated what he had said before, that there was no intention to bring a suit for damages if adequate punishment was meted out in the criminal case.

The delay in the criminal case will carry it over to next year. In the meantime a complication is created for

MANY MARRIAGES MANY TROUBLES

SIDNEY GUDGER, COLORED GENT,
FACES CALAMITY.

Police Claim He Was Married Before
Mock Marriage Which Landed
Him in Limbo.

There is more trouble for Sidney.

Sidney is the "edicated" cullud gentleman who is charged with defuding a dark skinned damsel into a mock marriage in order to get her money and who deserted her when he found that instead of her fortune being many hundreds of dollars it was a little above \$8.25, and who, after getting this sum, informed the admirer of his fine clothes and polished manners that the marriage was no good because he had fooled Parson Pleasant Green by exhibiting a chromo instead of a marriage license.

Sidney—that is, Mr. Gudger—is the man who was yanked before Justice Buckner for deserting the alleged wife. Justice Buckner not only held that the pretended marriage was perfectly good, but made an order that Sidney should pay all costs, pay his wife money on account and give bond to support her. This was grievous trouble for Sidney, who not only had to pay out good money, but was tied to a wife he despised.

But these troubles, heavy as they seem to Mr. Gudger, are light compared to the troubles that are in view. Patrolman H. B. James has some information that may make a lot more serious trouble. Mr. James read the story of Sidney's escapade in The Citizen and arrived at the conclusion that there might be something else back of the mock marriage, and as he is always alert to ferret out crime, he set to work on the case. The result of his investigations satisfied him that Sidney is not only married, but married twice. Several years ago, the officer learned, Sidney was married to a woman named Coleman, whom he afterwards left, and who now lives in Waynesville.

This looks mighty serious for Sidney. As he has already learned a little more about law than he thought, and now he stands to learn that marrying twice in some cases puts a man for a long time where there isn't any danger of his being run over by an automobile.

If Sidney was married to the Coleman woman and she is still living in

Our Boy Detectives ATTENTION

We have just heard from the man who sells Xtragood clothes. He is due now, is likely to reach town on the next train. The first boy to find him gets a \$5.00 Xtragood suit free at once, or when he next needs it.

SAY TO HIM: "YOU ARE FROM EDERHEIMER, STEIN & CO., CHICAGO, AND SELL XTRAGOOD CLOTHES."

The Whitlock Clothing House

Specialists in Men's Wear.

41 Patton Avenue

HUNTSMAN

Will find my line of HUNTING COATS, VESTS, PANTS, LEGGINGS, BELTS, GAME BAGS, AMMUNITION, LOADED SHELLS, the most complete line in the city. Prices to suit all.

BLOMBERG'S

Leading Cigar and Sporting Goods Store
17 PATTON AVENUE

If It's Hardware,
We Have It.

If We Have It,
It's the Best.

Favorite Ranges Satisfy

Asbestos holds the principal part in the construction of this range. The firebox linings are constructed so that gas escaping from the coal is almost all consumed.

MARION HARLAND

Coffee Pots

About the best all-round Coffee Pot made. Good Coffee with very little trouble to make it. All sizes.

J. H. LAW

35 Patton Ave.

A MAN ONCE SAID

Honesty is the Best Policy. I know it, for I've tried both ways. Suppose you try both kinds of Engineered Cooking Utensils.

THESE CHEAP. THE BEST. Poorest. Purest. Last Weeks. Lasts Years. Single Coated. Quadruple Coated.

We have the genuine. If your kitchen has this ware you may well be proud of it.

I X L DEPARTMENT STORE
23 Patton Avenue Phone 107.

Why do you

pay out good money for poor coal when you can get the best at the same price?

Phone 40

Asheville Fuel and Ice Co.

MADE-TO-MEASURE CLOTHING

W. W. JACKSON & CO.
Rhone & Road Building

WELLS' SMOKE

ONE HANDED NEGRO SHOOTS POLICEMAN

HAS TROUBLE ON TRAIN AND ALSO IN HENDERSONVILLE.

Attempts to Arrest Him Prove Futile Until He Runs Against Deputy Ott Wells.

John Jones, a negro wanted for the shooting of a Southern brakeman and policeman at Hendersonville, was arrested by the officers here last night. He was taken back to Hendersonville, by Deputy Sheriff Hill, of Hendersonville.

It seems that Jones had a quarrel on board a freight just this side of Saluda while "bumming" his way. The brakeman attempted to put him off. The negro resisted and, in the scuffle which followed, is alleged to have shot the "brakey" through the left arm, then became frightened and jumped. The man was seen to go in the direction of Hendersonville, and a telephone message was sent to the authorities to be on the look out for him. After some difficulty, he was located, and an attempt was made to arrest him. He put up a game fight and, it is said, shot the chief of police Mr. Israel, before attempting to make his escape, which he did successfully.

About 3:20 yesterday afternoon, Sheriff Reed received a telephone message from Deputy Sheriff Hill, stating that the man was headed this way. "Tramping it" on the road. He was described as being a "Nigger, unknown, tall, height about six feet, weight about 175 pounds, with his right hand off between the elbow and the wrist."

Deputy Hill asked that a man be sent to the station to meet him as he was coming, as soon as possible, but Sheriff Reed improved on that and sent Deputy Sheriff O. L. Wells out on the road between here and Skyland. Mr. Wells met his man walking about half a mile this side of Skyland, and with "whispering persuasion" convinced him that he ought to accompany the deputy to Asheville.

When searched a 32 Colt revolver, which had recently been used, was found.

The chief of police of Hendersonville and Deputy Sheriff Hill came down on the first train, getting off at Hillmore. They found that the bird, which the Hendersonville nets had failed to snare, was awaiting their pleasure. They returned on a late freight, taking Jones with them to Hendersonville.

NEGRO REMOVED FOR SAFE KEEPING

(By Associated Press.)

ROANOKE, Va., Nov. 23.—Deputy Pendexter, the negro under sentence to hang at Rocky Mount tomorrow, for the murder of United States Deputy Marshal Z. T. Wells, was removed from Roanoke jail tonight and carried to Rocky Mount, Gov. Montague has on two previous occasions granted Pendexter a reprieve at the last moment, and unless he again betrays the trust will be executed at noon tomorrow.

Pendexter claims the officer fired on him before he killed Wells. Pendexter

BOARD OF EDUCATION PLACES ITS CASE BEFORE THE JURORS

Plaintiff Reste in Gilliland Case and Six Witnesses for the Defendant are Examined at Length. Case May go to the Jury Today.

The defendants in the case of the Gilliland children against the board of education of Buncombe county and the school committee of Avery's Creek school district, in which the former are trying to establish their right to attend the white schools of the county by proving that there is no negro blood in their veins, had their opening in Superior court yesterday. The plaintiffs examined a few witnesses during the morning but rested about 11 a. m.

Six witnesses were on the stand in behalf of the defendants and almost without exception their testimony proved of the utmost interest. The relations between the Grahams, through which family the Gilliland children are said to derive their negro blood, and the rest of the neighborhood, the general appearance of the children themselves and other incidents of the Graham family, their claims as to the race to which they belong—all of these matters were gone into at length.

As on the previous days of the trial there were many spectators in the court room during the day who followed the evidence closely. In one part of the room sat a number of colored people and their presence in the court room was the occasion of one of the most unusual features of the trial. The last witness heard in the afternoon, Constable Mac Jones, was asked to show, by comparison with something in the court room, how dark one of the Graham family was. He seemed to be unable to find any suitable object for the comparison when someone suggested that there might be a man among the spectators who would fill the bill.

Mr. Jones scanned the faces before him and then pointing to a colored man in the midst of the spectators of that race told him in no uncertain terms to "get up." Several colored men rose to their feet at the command thinking they were "it" and it was only after some little confusion had been created that the proper personage was singled out, and Mr. Jones given an opportunity of explaining how many shades darker than the spectator the Graham, in question, was.

When court convened in the morning the first witness called was Theodore Graham, who was on the stand for a while the previous afternoon. This witness was asked a few questions and then turned over to the defendants for cross-examination. Mr. Murphy propounded several "posers" and then surprised the witness and everyone else in the court room by telling Graham to hold up his hands and offering them to the audience as evidence to show that the witness is a colored man. They were duly admitted but the question as to whether or not he had ever seen hands of a white man so dark, was passed over in a disdainful silence by the old man on the stand.

Dan Evans, the V. S. Lusk, Deputy Sheriff J. A. Lyette, and J. H. Martin were in turn examined briefly for the plaintiffs. Their testimony for the defense brought out, when Mr. Martin was stood upon, the plaintiffs rested their case and the defendants called T. L. Crook as their first witness.

The plan of defense adopted was about as forecasted in The Citizen yesterday morning. The board of education is endeavoring to show that the people of Avery's Creek township have always regarded the Graham family as possessing negro blood and that the treatment they have received at the hands of their neighbors was such as is generally accorded persons of that race. They introduced evidence to show that when the Grahams took meals at the homes of white persons they ate at a different time or at a different place from the members of the family and that they sometimes ate with negroes and did not object to so doing. They placed on the stand witnesses who swore that in appearance the members of the Grahams resembled negroes and no opportunity was lost in bringing out the fact that it has always been the custom of the Avery's Creek school committee to establish a school for the Graham children separate from that for the whites.

The witnesses examined in the afternoon were W. E. Lance, Dr. S. T. Baird, Zack T. Ledbetter, John Ingram and Mac F. Jones. Mr. Ingram created no little amusement by remarking in the course of his testimony that he never saw anything blacker than a black negro, while Mr. Lance explained the fact that he has eaten with the Grahams by saying that he would not mind eating with a negro. The remark created a mild sensation in the court room and the witness made some qualifying remarks which made the first statement look surprising.

The introduction of the poll book of Avery's Creek township showed that in the tax list at least the race of the Graham family has been a matter of much speculation. But one lister has had the temerity to decide the matter and in all other cases the space reserved for recording the color of the citizen has been left blank. The one lister who guessed at the matter classed the voters as white men.

In reply to a question from Judge McNeill, Mr. Martin, representing the defendants, said he thought the last witness for the board of education would be stood aside by noon today. If this guess proves to be a good one the case may possibly go to the jury by evening although this hardly seems likely at this time.

FAIR.

(By Associated Press.)

WASHINGTON, Nov. 23.—Forecast for North Carolina: Fair and somewhat warmer Friday, Saturday shows: light variable winds becoming southerly.

HAS CLOT ON BRAIN.

(By Associated Press.)

BOSTON, Nov. 23.—Capt. T. J. Hurley, of Harvard football team, who was ordered to the City hospital yesterday by the surgeon in charge of the Harvard foot ball squad, has a blood clot on the brain, according to a statement made by Dr. Nicholas today. Dr. Nichols said that there was here that the clot would be absorbed in the natural process of the body. The injury is the result of a blow on the head, received in the Dartmouth game last Saturday.

LET YOUR STOMACH HAVE ITS OWN WAY.

Do Not Try to Drive and Force it to Work When it is Not Able or You Will Suffer All the More.

You cannot treat your stomach as some men treat a balky horse; force, drive or even starve it into doing work at which it rebels. The stomach is a patient and faithful servant and will stand much abuse and ill treatment before it "balks," but when it does you had better go slow with it and not attempt to make it work. Some people have the mistaken idea that they can make their stomach work by starving themselves. They might cure the stomach that way, but it would take so long that they would have no use for a stomach when they got through. Then sensible way out of the difficulty is to let the stomach rest. If it wants to and employ a substitute to do its work.

Stuart's Dyspepsia Tablets will do the work of your stomach for you and digest your food just as your stomach used to when it was well. You can prove this by putting your food in a glass jar with one of the tablets and sufficient water and you will see the food digested in just the same time as the digestive fluids of the stomach would do it. That will satisfy your mind. Now, to satisfy both your mind and body take one of Stuart's Dyspepsia Tablets after eating—eat all and what you want—and you will feel in your mind that your food is being digested because you will feel no disturbance or weight in your stomach. In fact, you will forget all about having a stomach just as you did when you were a healthy boy or girl.

Stuart's Dyspepsia Tablets act in a natural way because they contain only the natural elements of the gastric juices and other digestive fluids of the stomach. It makes no difference what condition the stomach is in, they go right ahead of their own accord, and do their work. They know their business and surrounding conditions do not influence them in the least. They thus relieve the weak stomach of all its burdens become strong and healthy.

Stuart's Dyspepsia Tablets are for sale by all druggists at 50 cents a box. They are so well known and their popularity is so great that a druggist would so soon think of being out of alcohol or quinine. In fact, physicians are prescribing them all over the land and if your own doctor is real honest with you, he will tell you frankly that there is nothing on earth so good for dyspepsia as Stuart's Dyspepsia Tablets.

Ice Creams and Sherbets, any quantity or flavor, made to order. Club Cafe and Candy Kitchen.

Grant's No. 21 cures Cold and La Grippe. Price 25c. Grant's Pharmacy. 21-19

Chambers & Weaver, Livery. Phone 14.

Birdsell Wagons

For Freight Hauling and Farm Work.

Highest grade wagon sold in the South. Largest guaranteed capacity. Specially ironed for this market, with mountain brakes.

T. C. Morrison's

ATTENTION

Boy Detectives

The traveling salesman, for Ederhelmer, Stein & Co. will be here Saturday. Watch for him and get that suit of clothes.

ABSOLUTELY FREE.

If you find the right man he will answer to these words: "You are from Ederhelmer, Stein & Co. and sell Xtrigood Clothes."

The Whitlock Clothing House

Specialists in Men's Wear.

41 Patton Avenue

L. BLOMBERG

Leader in Cigars, Tobaccos, Pipes, Smokers articles and Sporting Goods.

17 PATTON AVENUE

Est 1887

If it's hardware, we have it.

If we have it, it's the best.

Carving Sets



Our sets are the most improved style. Large, medium or small, carried in both Rodgers or J. Russell. PRICES \$1.00 to \$8.00.

Asheville Hardware Company

CLAYBROOK JAMES, General Manager
On the Square. Phone 87. Asheville, N. C.

For Sale---\$6800 Will Buy

Large Warehouse, 40x178 feet deep, and two lots, 35x200 feet, on Patton ave. This is a safe investment.

NATT ATKINSON'S SONS CO.

REAL ESTATE DEALERS

TO CARRY AND BUILD IN CONCRETE

MARION HARLAND

Coffee Pots

About the best all-round Coffee Pot made. Good Coffee with very little trouble to make it. All sizes.

J. H. LAW

35 Patton Ave.

A MAN ONCE SAID

Honesty is the Best Policy.
"I know it, for I've tried both ways."
Suppose you try both kinds of Engineered Cooking Utensils.

THE CHEAP

Patent
Last Week
Single Coated

THE BEST

Purest
Last Year
Quadruple Coated

We have the genuine. If your kitchen has this ware you may well be proud of it.

I X L DEPARTMENT STORE
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Why do you

pay out good money for poor coal when you can get the best at the same price?

Phone 40

Asheville Fuel and Ice Co.

MADE-TO-MEASURE CLOTHING
W. W. JACKSON & CO.
Rosen & Reed Building

WELLS' SMOKE

WAYNESVILLE LODGE BANQUETS PYTHIANS

DISTRICT MEETING WAS FEAT-
URED BY SOCIAL AFFAIR.

At Closing Session Yesterday Morning

It Was Stated District Has
Almost 1200 Members.

Knights of Pythias who returned yesterday from Waynesville report that the fall district meeting of the Knights of the tenth district, which was in session Thursday evening and Friday morning, showed a gratifying increase in the number of the order in the western counties. District Deputy George L. Hackney stated at the meeting that a hundred new members had been added since June first and that the total membership in the district was nearly 1,200. Grand Chancellor Alfred S. Barnard stated to the meeting the stronger in the state was Pythianism stronger in numbers and in the true spirit than in this district. The following are the seventeen lodges of the district:

Pineham, No. 21, Asheville; Balsam, No. 62, Waynesville; Asheville, No. 106, Asheville; Columbus, No. 114, Columbus; Hendersonville, No. 116, Hendersonville; Tryon, No. 118, Tryon; Turkeycreek, No. 150, Dillsboro; Transylvania, No. 143, Brevard; Franklin, No. 141, Franklin; Estator, No. 147, Milledgeville; Fidelity, No. 148, Marshall; Canton, No. 149, Canton; Hiwassee, No. 151, Murphy; Cheah, No. 152, Andrews; Clyde, No. 154, Clyde; Bryson City, No. 157, Bryson City; Whittier, No. 159, Whittier.

The convention was called to order Thursday night in the Waynesville High School building because the lodge room was not considered large enough for the occasion. After the opening of Balsam lodge, Col. S. A. Jones delivered the address of welcome to the visitors in a speech which was highly complimented for the strong appeal to Pythians to observe the tenets of the order and its graceful words of welcome. The response by Mark W. Brown, Esq., was admirably suited to the occasion.

Grand Chancellor Barnard was called to the chancellor commander's station and Balsam lodge exemplified the work in the first and third ranks in a very satisfactory way.

At the close of the lodge session the Pythians were escorted to the Gordon, where Balsam lodge had provided a banquet in honor of the occasion. Some fifty members and half a dozen ladies were present, and the occasion was a delightful one. Mayor H. R. Ferguson made a good toastmaster and wittily introduced the speakers. The first was William E. Breese, Jr., of Transylvania lodge, who spoke on the subject, "If It Were All to Be Over Again, Would I Join the Knights of Pythias, and Why?" Mr. Breese's was a clever effort and effectively demonstrated the reasons for membership in the order.

Grand Chancellor Barnard spoke on the subject, "The Basic Principles of Our Order," in a most eloquent and well applauded way.

The subject, "The Pythian Obligation," was responded to by Donald Olin of Asheville lodge, 106.

Prof. J. J. Britt of Pineham lodge, 22, made a highly pleasing talk on "The Pythian Mission."

"How Could Our Order Be Made More Useful?" was the subject of the

GILLILAND CASE WILL BE GIVEN TO THE JURY THIS AFTERNOON

Testimony is all in and two of the Five Arguments Have Been Made--Expert on Portuguese Tells of Their General Appearance And Actions

The evidence in the Gilliland case was finished yesterday and two arguments were made. Mr. Anderson, of the firm of Stevens & Anderson, made the first speech for the plaintiffs. Mr. J. C. Martin for the defendants replied to Mr. Anderson. This forenoon Judge Stevens will speak for the plaintiffs. Mr. J. D. Murphy, for the defendants and the close of the argument will be made by Mr. Locke Craig.

Mr. Anderson has recently come to the Asheville bar. He is a young man of decided culture and ability and his speech yesterday, one of his first, was highly complimented by many. There will doubtless be some fine argument in the court room today as the case is an interesting one, and of very great importance. Many of the witnesses were examined yesterday.

Mr. Bunsell's Testimony.

The most interesting testimony was that given by Mr. Bunsell, a member of the New York city bar. He is now spending some time in Asheville. He is a man of distinguished appearance, and is evidently highly educated, and has travelled extensively. His manner was clear-cut, positive and courteous. He stated that he was well acquainted with the Portuguese as a race, and designated two men of the family as the plaintiffs as good types of that people. It was said he did not know when he pointed them out as resembling the Portuguese, that they were connected with the case. Other witnesses examined by the plaintiffs were W. W. Rollins, V. S. Lusk, Theodore Graham, S. M. Bedford and E. M. Israel. The plaintiffs rested their case about 4 o'clock.

Mr. Johnson's Testimony.

Another feature of interest was during the cross-examination of Mr. J. B. Johnson by Mr. Craig. Mr. Johnson had stated that he was of opinion that the plaintiffs were mixed with African blood. In his cross-examination Mr. Craig called all of the members of the family of the plaintiffs and stood them before Mr. Johnson and the jury. It was remarked that some of the young men are decidedly handsome and the grandfather, Theodore Graham, is a man of fine face and venerable appearance, and Mr. Craig

pointed to these men and asked Mr. Johnson would he give it as his opinion that they bore any resemblance to the negro race, and Mr. Johnson replied that he could not say that they did. Noting of some young men, Mr. Craig asked Mr. Johnson to point out a man in the court house, that bore less resemblance to the negro race than these young men. Mr. Johnson said that he could not do it.

Col. Lusk testified that he was acquainted with the family of the plaintiffs, and that they bore no resemblance to the negro race. Several witnesses were introduced by the defendants to testify that the general reputation had been that they were mixed blooded people, and that the mixed blood was of the African race.

Yesterday morning ten witnesses were placed on the stand for the defendants but none of them were examined at any great length and about 11 o'clock the board of education rested its case. The evidence brought out was of the same general nature as that given by other witnesses for the defendant and few new facts came to light. The witnesses examined were T. J. Varland, J. V. Johnson, A. T. Summey, G. W. Ballard, M. S. Glenn, W. W. Goldsmith, T. J. Ryckman, A. M. Reynolds, J. P. Calhoun and G. A. Shuford.

John B. Anderson, of the firm of Stevens & Anderson, opened the argument for the plaintiffs. He reviewed briefly the evidence in the case and dwelt upon its importance especially to the Gilliland children, whose future life must be materially affected by the jury's verdict. Mr. Anderson's effort was a good one although very short.

J. C. Martin was the first to speak for the defendants. He also contented himself with a comparatively short address but covered the material points in the case fully and placed before the jury the facts favorable to the board of education which have been brought out during the examination of witnesses. He replied to several arguments advanced by Mr. Anderson, and urged the jury not to let sentimental considerations influence them in reaching a verdict. Court adjourned as soon as Mr. Martin concluded his argument.

HEAVY BLAST WRECKED WIRES AND DEADLY VOLTAGE CAPERED

Explosion of Dynamite Shattered Weaver Power Co.'s, Wires and Shut off City's Supply--Officials, Much Exerolised;

Threaten Injunction to Forbid Blasting.

Yesterday morning a tremendous blast set off at the new quarry near German's bridge, recently opened at the terminus of the Asheville and Grayson Mountain railway, and operated by the Howland Quarry company, knocked down all the high power

junction to prevent any blasting at the quarry. The quarry people were seen and asked if they would suspend blasting without an injunction. They replied that they would until a conference could be held with the power company. Chief Weaver then asked

LAST OF WEEK-DAY SERVICES IS HELD

REV. ROBERT MILLER SPEAKS AT FIRST BAPTIST CHURCH.

"The Judgments" is the Subject Chosen for the Last Talk of His Services.

There was a large attendance last evening at the last of the week-day services, which have been held by the Rev. Robert Miller at the First Baptist church.

The opening song service was followed by short prayers from members of the congregation.

Mr. Miller selected his subject, "The Judgments," choosing his text from Ecclesiastes, 12:14. He treated his subject under four heads, as follows:

1. The Judgment of Sin on the Cross.
2. The Judgment of Works.
3. The Judgment of Nations.
4. The Judgment of the Last.

The subject was treated by Mr. Miller in his usual forcible and effective manner.

There will be no services today, either in the morning or evening, but there will be three held in the auditorium of the church tomorrow. Dr. Miller will preach at 11 a. m. and at 3:30 and 7:45 p. m. A special collection will be taken in the afternoon to defray the expenses incurred during the meetings.

DIED AS A RESULT OF FALL FROM TREE

C. W. Stradley, Telephone Lineman, Died Yesterday Morning and Will Be Buried Today.

Charles W. Stradley, the telephone lineman who fell from a tree on Ashland avenue several weeks ago and was dangerously injured, died yesterday morning at half past four o'clock from his injuries.

Mr. Stradley was 25 years old, was married and leaves a widow but no children. He came here from Hendersonville and at the time of his death lived at 42 Ashland avenue. The remains were sent yesterday afternoon to Hendersonville and were accompanied by several friends. The funeral will take place this morning at 10 o'clock at his father's house.

Fancy Boxes, favors, suppers and holiday novelties. Club Cafe and Candy Kitchen.

Birdsell Wagons
For Freight Hauling and Farm Work

Highest grade wagon sold in the South. Largest guaranteed capacity. Specially tinned for this market, with mountain brakes.

ATTENTION

Boy Detectives

The traveling salesman for Ederheimer, Stein & Co. will be here Saturday. Watch for him and get that suit of clothes.

ABSOLUTELY FREE.

If you find the right man he will answer to these words: "You are from Ederheimer, Stein & Co. and sell Xtragood Clothes."

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Specialists in Men's Wear.

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