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Aut inveniam viam, aut faciam

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C. & O. RAILWAY IS UNDER OPTION TO NEW INTERESTS

The Van Sweringers Reported to be Arranging to Buy Controlling Stock.

NEW YORK.—The Van Sweringers interests of Cleveland, who in the summer of 1916 started the railroad world by acquiring the majority stock of the "Nickel Plate" Railroad from the New York Central, and more recently added the New York, Chicago and St. Louis and the Lake Erie and Western to their holdings, are now understood to be dickering for working control of the Chesapeake and Ohio.

It was said that the Van Sweringers were seeking to acquire the stockholdings of H. E. Huntington, chairman of the C. & O. Directors, who, because of his advanced years, is understood to be willing to dispose of his holdings, should satisfactory terms regarding price be arranged.

The purchaser of these holdings, it was said, would have sufficient stock to secure a dominant voice in the Chesapeake & Ohio management.

A rise of more than two points in C. & O. common on the Stock Exchange resulted from the circulation of the rumors that new interests were desirous of securing enough new stock to give them working control of the road.

The rapidity with which the Van Sweringers have expanded their activities as real estate operators in Cleveland to a position of prominence in the railroad world has caused doubts to arise in some quarters of the financial district as to whether they would be able to finance an operation as large as that involved in the Chesapeake & Ohio.

The railroad mileage already controlled by the Van Sweringers in the Clover Leaf, the Nickel Plate and the Lake Erie and Western approximates 1,700 miles. At the end of 1921 the C. & O. operated 2,332 miles of line, which, in the event of purchase of the Huntington holdings, would give the Cleveland interests a dominating voice in the management of nearly 4,000 miles.

The main line of the C. & O. runs from Chicago to Norfolk, Va. The Hocking Valley, a subsidiary would give a valuable terminus on Lake Erie at Toledo.

The bulk of the traffic on the C. & O. consists of coal, the products of the mines last year comprising about 80 per cent of the freight carried. Chesapeake & Ohio preferred stock enjoy a high rating. Total funded debt amounts to \$217,721,400, exclusive of \$5,384,666 guaranteed bonds of controlled companies. Capital stock outstanding consists of \$12,568,500 preferred, recently created, and \$62,732,400 common. The preferred pays 6 1/2 per cent in dividends and the common 4 per cent.

Based on the earnings for the nine months ended September 30 with the remainder of the year estimated, it is estimated that the company this year will earn more than 5 per cent on the total property investment, 5.25 per cent on the preferred stock and 10.19 per cent on the common.

MAN ELECTROCUTED AT PIKEVILLE, KY.

Guy Wright, aged 33 years, was accidentally electrocuted at Pikeville Saturday night when he became entangled in a live wire. His body was taken to St. Albans, W. Va., for burial and services were conducted there Tuesday afternoon by the pastor of the Presbyterian church of which he was a member.

Mr. Wright is survived by his wife and two children. He was connected with the Automatic Refrigerator Co. and his home was at Huntington, W. Va. He was an electrical engineer and arrived at Pikeville at 10 p. m. Saturday night to repair an electric elevator for the Coleman Fruit Co. and had gone to the company's wholesale store with the manager, L. B. Coleman, and repaired the elevator. He remarked to Coleman: "Here is where the trouble was" and at the same time came in contact with the wire. He then said, "I can't get loose." Coleman attempted to pull him loose but failed, and ran to the second floor to turn off the current after being asked to do so by Wright. Wright expired within a few seconds.

GRANDPARENTS WIN CLAIM TO KEEP CHILD

PIKEVILLE.—Recently Virgie Vanover of Dorton instituted habeas corpus proceedings in an effort to obtain possession of her six year old child, Lora Belle Johnson, from whom she had been separated since Lora Belle was a year old when the mother, L. B. Coleman, and repaired the elevator. He remarked to Coleman: "Here is where the trouble was" and at the same time came in contact with the wire. He then said, "I can't get loose." Coleman attempted to pull him loose but failed, and ran to the second floor to turn off the current after being asked to do so by Wright. Wright expired within a few seconds.

The child had lived with its grandparents, Cas Johnson and Cosby Johnson and their attachment to each other had become remarkable. On the trial before Judge Childers here Attorney L. J. May, representing the grandparents claim to the child, won the case.

WAYNE COUNTY MAN DIES. Lewis Rakes, 62, died at Doeck's Creek last Saturday. His wife, three daughters and one son survive: Mrs. J. B. Plymale, of Ceredo; Mrs. Robt. Powell, Mrs. Chas. Johnson and Edward Rakes of Kenova.

'Big Six' Matty Sells Christmas Seals.



'Big Six' Christy Mathewson, baseball's greatest hero, who for two years has fought a winning fight against the white plague, is this Christmas season giving his time to

HIGH COURT VOIDS CLAYHOLE TRIALS

Sentences of Four Democrats Is Reversed by Court of Appeals.

FRANKFORT.—Democrats, convicted of the murder of George M. Intosh in the Clayhole precinct election day battle in Breathitt county, were granted new trials by the Court of Appeals, which recently held that the nine Republicans, charged in the attack, did not render themselves immune by testifying against the Democrats.

Judge Moorhead handed down an opinion holding that the Boyd Circuit Court, to which the cases were transferred on change of venue, erred in omitting instructions on self-defense and in excluding testimony of the defense intended to show that they were the victims and not the abettors of the conspiracy. Defendants on both sides are indicted on charges of committing murders in the pursuance of independent conspiracies to prevent the election in Clayhole Precinct in the race in 1921 between Dr. J. D. Whiteaker, Democrat, and Mitch Crane, Republican, for Senator in the Thirty-fourth District, which would bring the political control of the 1922 Senate.

The Democrats whose convictions were reversed are Leslie Combs and George Allen, Jr., sentenced to fifteen years each, and French and Shade Combs, sentenced to five years each. The four Republicans, tried in the precinct which is Democratic, and that the nine Republicans involved in the fray vote in other precincts and were the aggressors. The testimony thrown out was supporting the charge that the others shot up the ballot box into the tent.

The Court held that, while Judge Sam Hurst should have vacated the bench in Breathitt on motion of these defendants, his subsequent order granting a change of venue to Boyd county was not necessarily, therefore, void.

Four men were killed and seventeen were wounded in the election fight. Trials of the nine defendants, the so-called republican side of the Clayhole case, will be heard in Callittsburg in February. Whether the new trials of the four Democrats will be heard at that time is not known.

Attorneys for Shade, French and Leslie Combs and George Allen Jr. say that the prisoners will be released on bond as they believe that the opposing side will not offer opposition to such a move. They will return to Breathitt county as soon as they are released.

COURT OF APPEALS. Hawkins, etc., vs. Cook, Pike. Appeal denied, judgment affirmed. Hay vs. Roberts, Laverne. Appeal granted and judgment reversed. Watts vs. Commonwealth, Breathitt. Reversed. Harris vs. Musie et al. Boyd. Reversed.

FIRE DESTROYS THE GRUBB HOME

Willie A. Grubb's residence at Ellen, this county, was destroyed by fire Tuesday. Mrs. Grubb and two small children were in the house at the time, but do not know how the fire started. The flames had made so much headway by the time the fire was discovered that nothing was saved. The loss is considerable.

At the time of the fire Mr. Grubb was away looking after the digging of a grave for his mother, who died Monday.

Mr. Grubb is a merchant and his store building stands near the site of the residence, but the store was not burned.

MORGAN COUNTY MAN DROWNS. The West Liberty Courier says that Frank Wolfe was drowned when taking a raft down the river. He and his brother, J. R. Wells, were on the raft when it ran onto a sand bar. They tied it up and J. R. left Frank on the raft. When he returned he failed to find his brother. A search was made and the body was found about a hundred yards below the raft. His wife and several children survive.

SIMMONS ROAD ACT IS HELD VOID BY COURT OF APPEALS

Legislative Appointment Proves to be Downfall of State Highway Measure.

FRANKFORT.—The Simmons Road Act of 1922, abolishing Governor Morrow's State Highway Commission and creating a new one named by the General Assembly, was held unconstitutional by the Court of Appeals in an opinion by Judge Thomas, the whole court sitting and Judge William Rogers, Clay dissenting.

The opinion confirms the judgment of Judge Sam Hurst of Breathittville, presiding over the Franklin Circuit Court, that the appointment of executive officers is an executive function. What incidental hearing the decision might have on the Normal School situation, in view of the constitutional proceedings by State Auditor John A. Craig to test the validity of the act creating the commission to select Normal School sites, is contained in the dictum that the "opinion is not intended to apply to temporary appointments for the construction of public buildings or to persons designated to perform a single or temporary act and in no wise performing a continuous public trust." The court then adds that this is intended to mean that it is not passing on such questions at this time.

In consequence of this opinion the present commission, composed of H. Green Carrist, Winchester, chairman, H. H. Asher, Pineville, Leslie Samuels, Hardtown, and Ben Weidie, Paduch, will continue in office. The act named Mr. Wolfe and Mr. Samuels on the commission with Gen. William L. Sibert of Bowling Green, retired Army engineer, who was chiefly responsible for the successful engineering enterprise of the Panama Canal, and M. L. Conley of Cannel City, who has since died.

Boy Playing Santa Is Severely Burned

Wallace Myers, 12 year old son of Mr. and Mrs. Frank Myers of Logan, W. Va., was severely burned at that place Friday night when he was playing Santa Claus at a church entertainment. He was wearing a false face with a cotton beard and when he reached into the tree, lighted with candles to get out a present his beard caught on the candles and he was burned about the face, neck and body and is in a critical condition.

Mr. Frank Myers is a son of Capt. Billie Myers, popular C. & O. conductor on the Big Sandy division.

INJURY FATAL TO MRS. GRUBB

Mrs. Hester Grubb died at Callittsburg Monday night from the effects of a fall a week before which caused internal injuries. The body was brought here and taken out to her home at Ellen, this county, where in torment was made yesterday.

Mrs. Grubb had been visiting a woman who had grown up in her home and the accident occurred not long after she arrived there. She was 93 years old, widow of Scott Grubb who died 17 years ago. Previous to her marriage she was a Hawes. Six children survive, Wilho A. and Harlan of Ellen, Eunice of Texas, Mrs. Ethel Holton, Mrs. James Walter Young of Louisa, and Mrs. Luther Burton of Blaine.

Mrs. Grubb was a woman highly esteemed by all who knew her. She was a faithful member of the M. E. Church South. Her death will be felt in her neighborhood as a real loss.

Mine Fatalities Total 33 in W. Va. in Month

Mine fatalities in West Virginia in November numbered 33, of whom 22 were Americans and 11 foreigners. Two of those killed were outside workmen and 31 were employed on the inside of the mines. Five men came to their death as a result of mine accidents. One was killed by mining machine, one by shaft, one by electricity and three in miscellaneous accidents.

BREATHITT DEATH PENALTY REVERSED BY HIGH COURT

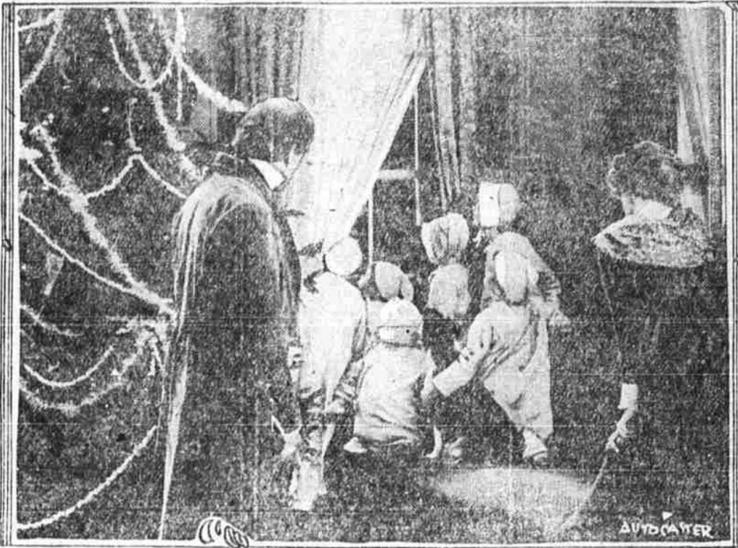
The death penalty imposed on William Penn Watts in the Breathitt circuit court for the killing of Mrs. Maggie Allen was reversed by the Court of Appeals. The higher court held that the lower court erred in its instructions to the jury.

Watts was indicted jointly with Bud Noble, Soldier Noble, Beecher Noble, Tom Porter, Sam Grigsby, Hagins Noble, Luther Noble and Lewis Watts as a result of the raid on the jail in Jackson which resulted in the death of Mrs. Allen and Albert Roberts.

MR. COLLINSWORTH RECOVERING

Jeff Collinsworth, who was burned very severely recently on the arms and face, is slowly improving. He was blasting rock on the Mayo Trail and powder into a hole too soon after a "springing shot" had been put off.

Come On, Old Santa, We're Waiting



GUNNELL SHOE CO. MOVES TO ASHLAND

The following from the Ashland Independent is of special interest to Louisa readers: Mr. Gunnell, president of the company, was a native of Louisa, as was also his wife, Miss Delores Thomas. They have many friends here who have noted with interest the progress of the business of which he is manager.

Removal from Callittsburg to Ashland of the Gunnell shoe company (wholesale shoes) increase of the capital stock from \$100,000 to \$300,000 and the erection of a four story wholesale shoe building on a lot to be bought here, will be the outstanding mercantile transaction of the coming week, it was learned from an authoritative source here last night.

George F. Gunnell, president of the company which now conducts the business in Callittsburg, announced the coming of the new building and expansion was imminent. It is understood a meeting of the stockholders, was held at Callittsburg Wednesday of this week to vote on the proposition "While additional stock will be set aside to the public, those already interested in the new building, George Gunnell, John E. Buchanan, John and Charles Russell, Col. T. A. Ebel, John T. McElmick, Ben Williamson, Ernest Meek and former Senator George B. Martin.

The company will at that time acquire the largest wholesale shoe store in the state and will be one of Ashland's largest mercantile establishments. A lot is to be bought in Ashland for the new building which will be a four-story brick structure equipped with the most modern facilities for displaying, packing, shipping and storing shoes.

It was learned that the change from Callittsburg to Ashland may be consummated within a few weeks, the stock at first being moved into a temporary building and later to be placed in the new building. It could not be known what reason the promoters have in mind.

The Call-Gunnell Shoe Company is one of Callittsburg's leading business concerns and has been entirely successful since it was organized several years ago by the late George Gunnell, Sr. and the late George Clay. Since the death of those men George F. Gunnell has been president and general manager.

Mr. Gunnell recently bought property at Breathittville and started a new venture where he will build a home and become a resident of Ashland.

Wayne and Logan Counties Included in Road Work

The West Virginia state road commission awarded contracts Wednesday for the grading and draining of 93 miles of state roads in fourteen counties and construction of two bridges in Wayne and Logan counties. The cost of the work will be more than \$1,000,000, it is said.

Oil Demand is More Than Supply

Producers as to the price of oil are usually not worth much, because the Standard Oil Company controls it and only the few men at the head of it know in advance what their plans are. The following is from the Cincinnati Enquirer: "Frank D. Kistler, Chairman of the Board of the Producers and Refiners' Corporation, is quoted as saying that in the face of the increasing demand at home and abroad the outlook is decidedly good for the advancement in the price of crude oil and refined products until production is sufficient to meet the needs of the world markets. Late figures show according to Mr. Kistler, that current consumption in this country exceeds the domestic production of crude oil in the United States by about 100,000 barrels a day."

MRS. CURRY OF ASHLAND BURNED TO DEATH

Mrs. Belle Curry, 72 years old, died at the home of her son, Norman W. Curry, Ashland, Wednesday as the result of burns sustained when her clothing was ignited in some unknown manner. She was alone upstairs when her screams brought members of her family to her assistance.

County Agent Baker Returns From Meeting

County Agent G. C. Baker was in Lexington last week attending the annual meeting of the Kentucky county agents and home demonstration agents at which one hundred and forty were in attendance.

The convention was held every day in the agriculture building at the University. Many prominent agriculturalists were on the program and the various talks were very helpful to all who attended. Foremost among the speakers were C. E. Smith, chief of the office of extension work at the United States department of agriculture and George E. Parrell, field agent for the United States department of extension work. They praised highly the Kentucky plan of community club work and congratulated the agents upon their efforts to plant the new farm enterprise firmly throughout the state.

Wayne Man Killed At Kenova by Car

A man thought to be Welch Collins, of Wayne, W. Va., was killed early Tuesday morning at Kenova, when he was struck by a street car. The report stated that Collins was being run downward on the street car tracks and was not seen by the motorist until it was too late to apply the brakes.

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Excitement in Breathitt Court

JACKSON, Ky.—After a tense moment Saturday during the trial of Elmore Nathan and Wilson Clemens charged with the murder of Green Watkins, in which spectators, counsel and witnesses were on their feet, Judge Sam Hurst ordered all women entering the court room to be searched.

Mrs. Rudy Dodson was appointed deputy sheriff and took her stand with the seven men guards at the door. A Col's "45" was strapped around her waist.

The trial is proving one of the most bitter ever fought in this section of the State. Fearful lest Mountain State vengeance seek a solution of the crime before the law has taken its course, Judge Hurst is using every precaution to prevent a clash between the opposing parties.

The jurist has established an exit order for those in the court house when court adjourns. The defendants and their counsel with a guard are the first to leave. There are followed by the jurors. The spectators then file out.

Saturday afternoon as Attorney A. B. Byrd for the defense asked Bud Combs on the stand if friends of Watkins had not intimidated the witness on the edge of town, an objection was raised by the Commonwealth. Attorney Byrd then turned to the jurors. In his said, and shouted: "Well, it is the truth, as you say." Clay Watkins, brother of the man slain, shouted that the statement of the attorney was not true. As Byrd turned to face his accuser spectators and counsel jumped to their feet. Judge Hurst threatened to clear the courtroom and place both in jail unless order was immediately restored. Deputy sheriffs appeared behind the bar and the trial was soon under way again.—Courier-Journal.

New Auditorium For Morgan High School

The West Liberty Courier says:—Work will be commenced this week on a new auditorium for the Morgan County High School. The building will be 50x75 feet and will have a commodious stage in the rear. The building is being erected to take care of the increased attendance in the school. It will be used for chapel exercises and the chapel in the school building will be converted into class rooms. The new building will also be used as a gymnasium, assembly hall and for school entertainments. It will also be a community center and will add much to the effectiveness of the school. The Board of Education is to be commended for its forward-looking in this matter.

State's Share in Road Funds Set

WASHINGTON.—A total of \$68,781,553 for the Department of Agriculture for the fiscal year, ending June 30, 1924, would be set aside by the annual agricultural appropriation bill received by the House. This is \$21,852,880 more than the total of the 1923 appropriations and \$250,000 less than the amount requested in the budget estimates.

State's Share in Road Funds Set

Out of the \$68,781,553 total, \$32,309,090 would be appropriated for road construction, in accordance with the Federal Highway Act of 1921.

In connection with this Federal Aid Act, it was estimated by the department in the hearings on the present bill before the House Appropriations Committee that Kentucky will have \$1,251,803 as a net balance for road work to its credit in the Federal Treasury July 1, 1923.

The same report shows that 109.4 miles of Federal aid roads were completed in Kentucky during the fiscal year 1922, the State receiving \$1,499,804 in Government funds. Of this 109.4 miles of road, 77.3 miles are listed as old roads that were graded and drained.

Appeal to R. R. Commission for Better Service

Petitions From Big Sandy Valley Asking that C. & O. Improve Equipment.

Citizens of Pikeville have started a movement to appeal to the Kentucky Railroad Commission for better equipment and better service on Big Sandy passenger trains. A petition was sent to Louisa and other cities in the valley and is being circulated.

All other efforts to get relief have failed. The Big Sandy News has been assured by C. & O. officials two or three times that this matter would be attended to. The last time was about two years when we were asked to discontinue our attacks on the ground that war conditions were still burdening the road; but we were told that the Big Sandy division would be improved as soon as possible. Nothing more has been heard about it and we are convinced that vigorous action will be necessary to bring about any improvement.

The NEWS has defended the railroads when it believed they were right and in cases where injustice was evident; but we are sure the public is not receiving fair treatment at the hands of the C. & O. on the Big Sandy division.

Coaches decent enough for ladies to ride in are demanded so that those who do not want to pay the unreasonable excess for a seat in the chair car may travel in a coach. Also, to accommodate those who find the chair car full, which is often the case than otherwise.

Airplane Trips to Blaine and Keaton

John Wood made two airplane trips to Blaine Wednesday for passengers. On one of these trips he carried the first woman passenger who has made the flight. Miss Nola Edwards, deputy county clerk, was taken to her home one mile beyond Blaine town. B. B. Bird, an oil worker, made the trip at the same time.

Dr. H. H. Sparks and Dr. C. B. Walters, two of Louisa's dentists, made the trip from Louisa to Blaine on Thursday afternoon of last week. Mr. Wood will establish permanent service between these points if the business will justify it.

Hon. Z. T. Vinson to Speak Here

Hon. Z. T. Vinson, of Huntington, very kindly has accepted an invitation from Sunday School Supt. Augustus Snyder to come to Louisa and give a talk on some of the things he saw in Europe last summer, particularly the Passon play, which he saw at Oberammergau. The date has not been fixed, but it will be some time before January 20th. If an evening date is selected an effort will be made to have Lon Hutchinson come over from Huntington and show the pictures of the Passon Play, which he possesses.

Vinson's ability is well known here and he is always an interesting speaker. Having spent a large part of his boyhood as resident of Louisa he is glad to return at any time. Before the date for the home coming event was fixed, he wrote the NEWS. Mr. Vinson's ability is well known here and he is always an interesting speaker. Having spent a large part of his boyhood as resident of Louisa he is glad to return at any time. Before the date for the home coming event was fixed, he wrote the NEWS.

Biggs Insurance Case Continued in Court

The case of Lola Fannin guardian, against the Federal Life Insurance Co. in which suit has been brought against the life insurance company on behalf of T. S. Biggs of Olive Hill, for \$5000 alleged to be due the son on an accident policy held by his father, was continued until Thursday by Judge Cochran.

Doctor Biggs, policy holder, it will be remembered was shot and killed in Olive Hill by Charles F. Duval last winter.

Clayhole Men Give Bond and Are Released

French, Leslie and Shade Combs and George Allen, Jr., executed bond Wednesday and departed for their respective homes in Breathitt county. The signers of the bond are Elbert Hargis, Jackson; Sewell Williams, Jackson; S. J. Cockrell, Jackson; S. H. McInosh, Clayhole; Clay Watkins, Jackson; E. C. Hyden, Jackson; W. H. Flannery, Callittsburg; and John Hollon, Ashland. The bonds were fixed at \$5,000 each and the trials are set for the fourth day of the May term.—Ashland Independent.

Miss Elizabeth Yates returned Wednesday evening from Ashland where she had spent the past few months with Mrs. Nora Sullivan.

G. B. Roberts and family of Lexington are here to spend the holidays with relatives.