

TESTIMONY AS TO CHARACTERS OF THE BANKER DEFENDANTS

Judge Newman Rules Out Testimony, at This Time, as to Character After Bank Failure.

OUTLINE OF THE CASE
BY DEFENSE DEFERRED

District Attorney Holton Makes Announcement That Mr Pen-lane is Not on Trial.

The defense made little progress today in United States District court in the trial of the conspiracy case of Messrs. Brees, Penland and Dickerson, contending itself with the introduction of several character witnesses. The day's session was little more than an hour in length. With the convening of court Judge Moore of counsel for the defense asked permission of the court to defer until Monday the outlining of the position of the defense. This request was granted.

It was also stated by the defense that Maj. Brees and Mr. Dickerson, the two defendants who are really on trial, would take the witness stand in their own behalf.

The first character witness, Representative Zebulon Weaver of Buncombe, was called. While Mr. Weaver was on the stand and after he had testified that he knew Maj. Brees and Mr. Dickerson; that he had known them for many years and that prior to the failure of the bank their reputation was good, the witness was asked by Mr. Craig for the defense if the witness knew the general reputation of the defendant Brees at the present time. District Attorney Holton objected. Mr. Craig said with reference to the objection by the district attorney that the defense proposed putting Maj. Brees on the stand and that his present reputation is an issue. There was some argument over the point and the court said he did not think that the question competent; that Brees' reputation or present character had not been attacked. Mr. Craig said that the character witnesses were put on to testify at this time in an effort to save time; that he knew the evidence in advance of the testimony by the defendants was incompetent but that while the defense had the witnesses on the stand he thought it would save time if they were permitted to testify to all matters concerning the reputation of the defendants. The court said: Continued on page five.

DEMORALIZATION OF DEMOCRACY

Mr. Duncan Thinks It Is Approaching State of Hopelessness, in State and Nation.

RECOMMENDATIONS FILED
AS TO CENSUS POSITIONS

He and Mr. Adams Made Endorsements Except in the Fifth, Eighth and Tenth Districts.

F. C. Duncan, one of the receivers of the Seaboard Air Line, is here today. In the matter of the application for a receivership for the Charlotte, Monroe & Columbia Railroad company, in which the Seaboard has a bonded interest.

When a representative of this paper sought an expression from Mr. Duncan concerning matters political, that gentleman voiced the opinion that the democracy was fast approaching a state of hopeless demoralization, both in the state and nation. In the country at large, he said, no two democrats seem to be of the same mind respecting the tariff, while at home the Raleigh News and Observer and Speaker Justice are properly lamenting the shortcomings of the last legislature, while Governor Kitchin, to the astonishment of his radical friends, had taken sharp issue with them.

His attention being called to the fact that the president, according to the morning dispatches, had approved the list of census supervisors, Mr. Duncan, who was one of the managers of the last national campaign for the republicans, replied that this was a matter that he was not inclined to discuss, but since announcement had been made of the president's net, he saw no impropriety in saying that Chairman Adams and he had gone over the papers of the various applicants from this state and the two filed their recommendation last Monday. They made endorsements for all districts save those applicants from the fifth, eighth and tenth.

THE WEATHER

Forecast until 8 p. m. Sunday for Asheville and vicinity: Threatening weather, with showers tonight or Sunday.

Spanish Commander at Melilla Thinks Force Is Now Sufficient



SPANISH TROOPS ISSUING FROM GATE OF MELILLA. FROM ILLUSTRATIONS ITALIANE.

THEY HAVE ALL LEFT WASHINGTON

Not a Member of the Cabinet at Capital but Department Clerks Don't Mind.

Washington, Aug. 14.—Not a member of President Taft's cabinet is in Washington today. The capitol is in the midst of midsummer dullness, and members of the cabinet are seeking rest elsewhere, leaving the administration of affairs in the hands of assistants, who keep in touch with them by telegraph, telephone or mail, whenever necessary.

The situation, while unusual, is not without precedent. It is a commentary on the easy manner in which the business of the national government may be conducted. Any sudden emergency requiring the presence of the cabinet here would be promptly met by summoning them to Washington, or Beverly, Mass., the president's summer home, for nearly all are within thirty-six hours' railroad ride.

POWERS INFORM TURKEY FLAG SHALL DESCEND

The Protectors of Crete Hope Turkey Will not Send Her Fleet to Cretan Waters.

London, Aug. 14.—A joint note signed by the four protecting powers of Crete—Great Britain, Russia, Italy and France, has been presented to the Turkish government.

It provides that the powers shall see that the objectionable flag hoisted by the Cretans is removed permanently, and expresses the hope that in the circumstances Turkey will not take it necessary to order her fleet to proceed to Cretan waters.

RAILWAY TUNNEL FIRE SEEMS UNDER CONTROL

Both Ends Closed up, and Immense Volume of Steam Is Being Forced in.

Lynchburg, Aug. 14.—Every indication is that the fire in the Southern Railway tunnel here, on a new and uncompleted route, is under control.

Both ends of the 9000 feet of tunnel, which remain standing, have been closed and an immense volume of steam now being forced in to make sure of smothering the fire.

TEACHER COMMITS SUICIDE BY JUMPING INTO A WELL

Fairfield, Ill., Aug. 14.—Strapping his hands securely behind him, Prof. Alvin Willis, a teacher, of Charleston, S. C., committed suicide yesterday by jumping into a well. He had returned from his work only a few days ago for a short visit with his mother.

His health is supposed to have caused him to become temporarily deranged.

Memorial to Servetus Dedicated.

Paris, Aug. 14.—Former Governor Curtis Guild, Jr., of Massachusetts, was one of the chief speakers today at the dedication of a memorial monument to Michael Servetus in the town of Vienne, Department of Correz. Servetus, who was a great Unitarian reformer of Calvin's time, was burned at the stake because of his too liberal expressions.

CENSUS SUPERVISORS' NAMES PASSED UPON

President Approves of List at Conference With Negel, Hitchcock and Durand.

Beverly, Mass., Aug. 14.—At an extended conference last night with Secretary Nagel of the department of commerce and labor, Postmaster General Hitchcock and L. Dona Durand, director of the census, President Taft approved the appointment of 230 supervisors of the census. The list had been prepared at Washington for the president and the qualifications of every man inquired into.

There has been marked discontent among some southern republicans over the decision of the president to divide the census patronage in the "Solid South."

Each census supervisor will have a tremendous force of enumerators under him. The supervisors will receive a salary of \$2,000 and their work will extend over eight or ten months. The states where the supervisors are divided equally between the democrats and republicans are Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana and Texas. In most of the states supervisors are appointed in each congressional district. President Taft, it is said, laid down the rules, especially in states where a division has been made between democrats and republicans, that supervisors shall not be active partisans and that no attempt should be made to build up political machines out of the census patronage.

The time of the president's visit to Baton Rouge, La., has been fixed. He will arrive there at 8 a. m. October 22, and make an address from the decks of the steamboat on which he will voyage down the Mississippi. The stop at Baton Rouge will necessitate a curtailment of the time allowed at Natchez.

TO INCREASE MEMBERSHIP OF NATIONAL RED CROSS

Plan to Raise Number from 20,000 to 100,000 Approved by President Taft.

Washington, Aug. 14.—President Taft heartily endorses the idea of increasing the membership of the National Red Cross from 20,000 to 100,000, and a letter from him commending the plan is printed in a pamphlet just published for distribution throughout the United States.

Kills His Beautiful Wife Because of Negro Blood

Columbus, Aug. 14.—Ascertaining, after eight years of married life, that his wife was a negro woman, Alfred Haberman, a white man, shot her twice and then, turning the revolver

TOBACCO TRUST SUED FOR MILLION

Ware-Kramer Company Brings Suit in Raleigh Against American.

Norfolk, Aug. 14.—Alleging illegal practices designed, it is charged, to destroy the plaintiff's independent business, the Ware-Kramer Tobacco company has brought suit in the United States Circuit court at Raleigh against the American Tobacco company, claiming \$1,000,000 damages. Frank D. Ware of Norfolk, president of the plaintiff company, whose factory was formerly located in Wilson, N. C., is said to have the support of all other independent tobacco manufacturers in his section, which alleges suzerainty of illegal practices by Tobacco Concern to a point past endurance, and asks protection against "unrelenting persecution."

FIVE PERSONS KILLED AND MANY INJURED

Collision of Passenger Trains—Death List May Be Even Larger.

Pueblo, Col., Aug. 14.—Denver and Rio Grande train No. 8, east bound, and Denver and Rio Grande train No. 7, westbound, collided just east of Huachuca, Col., between Colorado Springs and Palmer Lake this morning. Five persons are known to have been killed and 24 injured.

Explosion on a Submarine.

St. Petersburg, Aug. 14.—There was a serious explosion today on a Russian submarine anchored in the Neva. Two men were killed and several others wounded.

TIME YET TO ENTER CONTEST AND CARRY OFF A FINE PRIZE

STREET MATTERS GIVEN ATTENTION

Juries Ordered on Two Thoroughfares, to Assess for Improvements.

CITY GOING RIGHT AHEAD
WITH SEWER CONNECTIONS

Catawba Street, Cumberland to North Main, Is to Be Worked Out, etc., etc.

There was very little to come up before the regular session of the board of aldermen last night other than routine business, the principal matters being the report of the street committee recommending that Catawba street be worked out from Cumberland avenue to North Main street and a culvert built over a stream; that a jury be placed on Carter street extension to Haywood street; and that a jury be placed on the Pearson drive extension and Courtland avenue to assess benefits and damages in accordance with profiles filed by the city engineer.

When the board was called to order by Mayor Campbell all the members were present except Aldermen Van Winkle and Wood, who are out of the city.

Capt. W. G. Corpening appeared before the board with the request that the city ditch on Cripple Creek, near the passenger depot. He stated that it is fast filling up with sand and that when it rises it overflows the property near the Florence and Glen Rock hotels. The request was referred to the street committee.

Jim Stanback, colored, told the board that he was too poor to comply with the notice which had been served upon him by the city to connect with the sewer on Black street, and prayed exemption from the order. The board ordered that the city make the sewer connection for him, charge the costs against his property, and allow him to pay it when he is able.

Dr. M. C. Millender appeared before the board to find out the status of the proposition to pave a portion of Pearson drive. It was found by referring to the minutes that the citizens from the intersection of Watawga street and Pearson drive to a point below T. S. Morrison's property had agreed to furnish the stone delivered on the ground, provided the city would do the macadamizing. No stone has been delivered yet, but the board told Dr. Millender that the city is ready to do the work just as soon as the crushed stone is placed on the ground. Dr. Millender stated that he wished it done as soon as possible and that he would try to have the stone placed at once.

A motion was passed that notice be served on property owners on that portion of Pearson drive, which residents desire to have paved, that they connect with the sewer and water lines before the macadamizing is done.

Alderman Randolph for the water committee read the agreement that had been drawn up between the city and Richmond Pearson allowing Mr. Pearson to connect with the water line at Riverside park. Mr. Pearson agreed to hold the city harmless for damage to private property caused by the construction of his private line, and gives the city the right to cut off the water in case of an emergency.

The street committee recommended that Catawba street be worked out at once, between Cumberland avenue and North Main street, and a culvert built over a stream which crosses the street, and also that the gutters along the Macadam portion of Merrimon avenue be cleared out and any repair work necessary be done to Merrimon avenue.

The street committee reported adversely on the petition of certain merchants asking that the city draft an ordinance allowing them to display goods on the sidewalks. The committee thought it would be undesirable and "not in good taste." The reports were adopted.

A profile of the grade of South French Broad avenue was submitted by the street committee and ordered filed until the city decides to grade out lower South French Broad avenue.

Alderman Patterson, inquiring about the proposed change in the curve at the corner of Oak and Woodfin streets, obtained from Alderman Glenn the information that just as soon as Alderman Van Winkle, who is the attorney for the heirs of the Oaks hotel property, returns to the city the matter will be taken up. He reported that he thought the change could be made with very little expense to the city, as it will be a great benefit to the hotel property. The city intends to widen the street if possible, and just as soon as possible.

Alderman Patterson, for the sanitary committee, presented a bill for \$15 against Dr. Kluttz, owner of the Graham property on Park avenue, for expense incurred by the city in filling up a cistern which the board of health had condemned. The board ordered that if not paid within a

It is not Too Late to Begin, and Win a Superb Automobile by a Few Weeks' Effort.

RACE IS DEVELOPING INTO MAMMOTH AFFAIR

And, Now, While the Blitz Bonuses Are on, Is the Time of All Times to Hustle—Hustle!

Another Bonus Offer.

All candidates bringing or sending to the Gazette-News office five yearly RENEWAL subscriptions to The Gazette-News (\$25) to be delivered by carrier, or six yearly RENEWAL subscriptions to The Gazette-News to be delivered by mail between Monday, August 9, and midnight Saturday, August 21, will be awarded a voting certificate for 20,000 votes in addition to the regular scale. One two-year renewal will be counted as two yearly renewals. This is positively the largest offer that will be made on renewal subscriptions during the contest, and each candidate may secure as many of these as possible. In order to be absolutely fair and impartial, this offer will include all yearly RENEWAL business heretofore sent in.

Bonus Offer on New Subscriptions.

Every candidate bringing or sending to The Gazette-News office five new yearly subscriptions to The Gazette-News, \$25, to be delivered by carrier, or six new yearly subscriptions to The Gazette-News, \$24, to be delivered by mail, between Wednesday, August 11, and midnight Wednesday, August 25, will be awarded a voting certificate for 40,000 votes additional to the regular scale. One two-year subscription will be counted as two yearly subscriptions, and each candidate may secure as many of these clubs as possible.

Perhaps you wouldn't think of applying it to a contest, but the fact remains that development, which is the order of the age, plays just as large part in a great popularity race as it does in the larger affairs of life.

For instance, had it been your duty to count the number of ballots turned into The Gazette-News office last week; had it been a part of your duty to check up the accounts of the various contestants, to issue the votes on the new and old subscriptions turned in, it might have struck you that the contest is no longer an infant.

The big bonus offer that ended August 7 meant that enormous business was done. And this contest child has grown with such alarming rapidity that it requires a new outfit of clothing about twice a week.

That's why the Contest Man is a rather busy fellow. In fact, it's why about six of him is right now very much "on the job," as the sporting editor would intelligently put it. The new conditions that arise from day to day require untiring work in properly straightening them out.

It's a Big Deal.

But paw! who cares about the Contest Man's troubles? Here is what he is trying to say: this contest has developed into about the biggest thing of its kind that ever happened south of Messrs. Mason & Dixon's rather troublesome old line.

Candidates have shown a gratifying readiness to grasp the salient facts in the situation. They know that the big bonus offers are growing smaller each week. They know that a little hustling, intelligently directed, is going to mean a nice reserve in the vote bank; that there is never going to be an easier time in the contest to get both old and new subscriptions. Contestants have shown a readiness to appreciate the generosity of The Gazette-News which shows that the publication is fully appreciated by the people of the section it serves.

That is why contestants are determined to leave no stone unturned during the present bonus offers, in which they can secure those extra voting certificates on both new and old subscriptions. But, on the other hand, now is the accepted time to get into the race. No candidate has such a lead that a few days of patient, earnest work will not overcome it. It takes a contest just about three or four weeks to get properly started. And at the end of that time the population for miles around in every direction has read and heard about and discussed the contest. Every community has its favorite candidate and the score of that candidate is eagerly

Nomination Ballot

I hereby nominate

M.

Address.....

District.....

My Name is:

M.

Address.....

Profession.....

Date..... Hour.....

This nomination ballot, when properly filled out, will count for 1,000 votes. Only one nomination ballot will be credited to a candidate.

Under no circumstances will the name of anyone making a nomination be divulged.

Win a \$65 Prize \$65 COLUMBIA GRAPHOPHONE NOMINATION PRIZE

This splendid prize will be given to the person who nominates the winner of the Bullock Touring Car.

The Gazette-News determined to overlook no one in this big proposition, has decided to give a valuable prize to the person who nominates the successful candidate. Clip out the blank published in this issue, fill in properly and send to the Contest Department. You may nominate yourself. If you win the first grand prize, you will also be awarded the \$65 Columbia. But you are fortunate rarely to be a contestant to win this prize. If you are fortunate enough to have sent in the name of the winner of the Bullock Touring Car, the talking machine will be given you at the close of the contest. Make as many nominations as you like.

It costs you nothing to fill out the nomination blank and send it to the Contest Department of the Gazette-News. If you do not send in your own name you may win a prize anyhow. This paper feels that this is a magnificent offer and should result in the selection of none but the most active and aggressive candidates. Try to name a winner.

The Columbia was purchased from and guaranteed by FALK'S MUSIC HOUSE.