THE ASSOCIATED PRESS DISPATCHES

The Asheville Gazette News.

LAST EDITION 4:00 P. M.
Weather Forecast FAIR AND WARMER.

VOL. XVII., NO. ... ASHEVILLE, N. C., SATURDAY AFTERNOON, NOVEMBER 30, 1912. PRICE THREE CENTS

SAYS NEW LAW IS PRESS GAG

James M. Beck Files with Supreme Court Brief Attacking the Newspaper Publicity Act.

CALLS IT PERVERSION OF FEDERAL POWER

Declares Any Undue Burden on Publication Is an Abridgement of the First Amendment.

By Associated Press.

Washington, Nov. 30.—Former Assistant Attorney General J. M. Beck, filed in the Supreme court his brief in the case brought by the Lewis Publishing company to test the constitutionality of the newspaper publicity law.

The brief discusses fully the power of the federal government indirectly to censor the press through the regulation of the mails and reviews at length the struggle in England and America to free the press from restraint, and the meaning of the first amendment forbidding any abridgment of the freedom of the press.

Mr. Beck argues that as the constitution did not expressly give any power to regulate journalism, any attempted regulation can only be justified as a necessary and proper means to carry out some federal function. He denies that the regulation of newspaper ownership and the enforced publicity of its business can be an appropriate means of carrying out the federal power over the mails.

The brief reviews the decisions of the supreme court, numbering over 20 in which congressional acts have been invalidated by the supreme court and it claims the present law is within the doctrine of those decisions.

Calls It "Nullification by Indirection."

Mr. Beck srongly denounces the idea that congress can so use its powers as to accomplish unconstitutional ends. This the brief calls "nullification by indirection" and it cites the commodities clause of the Hepburn bill, Senator Beveridge's child labor bill and the present newspaper law as striking examples of an attempted perversion of federal power to accomplish ulterior and unconstitutional ends.

After reviewing the struggle which led both England and America to the freedom of the press, he asserts that such liberty consists not only in freedom from absolute prohibition but also of exemption from any burdensome or unreasonable restraint. Any undue burden upon writing or publication or other restriction of the full right to print and circulate is an abridgment of the press contrary to the first amendment.

The brief further argues that the appropriation of the newspaper columns to enforce the policy of publicity without compensation violates the fifth amendment in taking property without due process of law.

Mr. Beck argues that the law has the merit of sincerity that it makes no hypocritical pretense of being a means to carry out any constitutional power. He quotes the debates of congress showing that the authors of the bill, Senators Bourne and Reed and Representatives Henry, Barnhardt and others, all admitted that the purpose of the act was to compel a public disclosure of the ownership of newspapers and of the influences which dictated their policies.

The Supreme court has specialy set Monday next for the argument of this test case. It is expected that Robert C. Morris will open the case for the newspapers, Solicitor General Bullitt will speak for the government and James M. Beck will make the closing argument for the newspaper press.

LINCOLN DAY DINNER

Roosevelt Will Address Banquet to Be Attended by Many Progressive Leaders.

By Associated Press.

New York, Nov. 30.—Progressive leaders from all parts of the United States will meet here on February 12 at a Lincoln dinner under the auspices of the New National Progressive club of New York city. Colonel Roosevelt [illegible] Chicago.

[illegible] is the museum of natural history here. The instrument [illegible] Hornsby and presented [illegible] Academy of Science [illegible] Emerson McMillan.

WILL BEGIN WORK ON NEW SCHEDULES

Simmons Says He Will Urge the Senate and House Committees to Get Together Next Week to Prepare for Tariff Revision.

By Associated Press.

Washington, Nov. 30.— Senator Simmons of North Carolina, who had charge of democratic tariff bills in the senate last session and who may be chairman of the finance committee after March 4, said today he would urge that democratic members of the finance committees and the committee on ways and means get together early next week and begin work on the tariff measures to be considered at the extra session of congress.

Whether the tariff questions should be considered schedule by schedule or in a general bill he was not ready to say. He thought, however, that a majority would want to take up the schedules separately, using the measures passed at the last session as a basis for new tariff legislation.

Married Eleven Years, Never Exchanged a Word

Vow of Silence After Quarrel Trivial Matter Unbroken Even by Death in Household— Now They Seek a Separation.

By Associated Press.

New York, Nov. 30.—The story of 11 years of married life during which not a word was exchanged between husband and wife is told on papers on file here in a separation suit in the state Supreme court. The pair, Mr. and Mrs. Carl Mintz, were married in 1884. For 13 years they lived happily together with their four children. Eleven years ago they quarreled. The dispute was over some trivial matter, it is said, but the wife declared that she would never address another word to her husband as long as he lived. He declared that the arrangement was satisfactory to him. Mrs. Mintz asserts both adhered to the agreement.

Seven years ago their daughter Dorothy died, but even at the funeral the vow of silence was not broken.

Mrs. Mintz is now seeking a separation.

LUCILLE CAMERON HAS DISAPPEARED

Girl whose Conduct Led to the Johnson Charges Vanishes from Hotel.

By Associated Press.

Chicago, Nov. 30.—Lucille Cameron, former white sweetheart of Jack Johnson, negro pugilist, has disappeared. Her mother, Mrs. F. Cameron-Falconet, into whose custody she was given by the federal court, returned last night to her home in Minneapolis.

The association of the white girl with the negro pugilist was the cause of charges of violation of the Mann white slave act being made against Johnson. In the early stages of the prosecution the Cameron girl was regarded as a most important witness for the government. Later other charges were made against Johnson and the girl's testimony was valued less highly by the prosecutors. For several weeks Miss Cameron was detained as a witness in the jail at Rockford, Ill., where her mother insisted on staying.

The girl is believed to be hiding in Chicago. She disappeared Wednesday night from a downtown hotel, where she was living with her mother pending arrangements to leave the city.

The department of justice will make an investigation to learn whether Jack Johnson or any of his friends have hidden the girl.

"I am through," Mrs. Falconet said before she left. "I have fought and fought to save Lucille. I would have given my life to free her from that horrible career upon which she had started when I intervened."

DOCTOR DIES AS POLICE PROBE PATIENT'S DEATH

Prominent Physician Possibly Ended Life After Coroner's Autotopsy on Girl.

By Associated Press.

Denver, Col., Nov. 30.—Because of the death of Maud White, aged 27, a domestic, Mrs. Isabel Howe, a trained nurse, is in custody, Martin W. Tresler is sought by the police and an autotopsy will be held to ascertain the cause of death of Dr. J. F. Cherrington. An autopsy was performed on the body of Miss White yesterday and it was announced that death was due to an illegal operation.

Miss White, who was a housekeeper for Tresler, died Wednesday and her funeral was stopped by her brother Charles W. White, who reported to the police that circumstances surrounding his sister's death warranted an investigation.

Dr. Cherrington, a prominent Denver physician, atended the girl and gave peritonitis as the cause of death, denying that an illegal operaton was performed. The investigation started Wednesday and 24 hours later Dr. Cherrington was found dead in his room. A bottle half filled with white powder was lying beside the body. This is being analyzed.

Mrs. Howe is being held pending further investigation. No charges have been filed against her.

TEACHERS ELECT OFFICERS TODAY

E. L. Brittain Is Chosen President of Southern Educational Association.

By Associated Press.

Louisville, Ky., Nov. 30.—Election of officers and continued discusion of various phases of educational work in the south constituted the program for the final day of the Southern Educational association's general sessions, which began here Thursday. The rural school situation in the south which occupied a prominent part in the discussions yesterday and last night was the subject for further treatment today.

The program of the morning session was devoted largely to a discussion of the home in its relation to education.

Two members of the government service were among the speakers at today's sessions. Dr. Dan C. Gilman had for his subject "The Foe in the School."

"A Suggestion toward the solution of the Rural School Problem in the South," was the subject of an address by [illegible] P. Claxton of the federal bureau of education.

E. L. Brittain of Atlanta was this afternoon elected president of the educational association. W. K. [illegible] Columbia, S. C., was elected president. The secretary-treasurer is William Feagin of Montgomery, whose term will not expire [illegible] years.

The members of the executive committee elected today include: Alabama, P. W. Palmer, Montevallo; Florida, Lawton B. Evans, Augustine; North Carolina, Prof. [illegible] Brogden, Raleigh; South Carolina, C. H. Easler, Aiken; Tennessee, L. L. Wolfe, Memphis.

The report of the committee on resolutions expressed appreciation of the honor conferred upon the profession of teachers in the election of Woodrow Wilson to the presidency of the United States.

Other resolutions urge better salaries for school teachers, the increased scope of and a larger appropriation by congress for the national department of education, increased support of normal schools and teachers colleges; for medical inspection in the schools for communicable diseases of the eye and for the appointment of a standing committee on the conservation of vision; for the proper education of the southern negro.

TO SIGN TREATY OF PEACE MONDAY

London, Nov. 30—(Bulletin)—News has been received in Vienna that a peace treaty between Turkey and the Balkan allies will be signed by Monday by the plenipotentiaries at Bucharest, according to a news agency dispatch from the Austrian capital.

Damage by Prairie Fire.

By Associated Press.

Swift Current, Sask., Nov. 30.—A prairie fire is sweeping south of here over a territory 40 miles wide and extending to the North Dakota boundary line. Many farm buildings and haystacks have been destroyed.

TEACHERS' [illegible] IS ADJOURNED

A. C. Reynolds [illegible] President and [illegible] Vice President [illegible]

RESOLUTION [illegible] WOMEN'S [illegible] ATION

On School Reg[illegible] Text-book Commission—Proposed Child Labor Law Endorsed.

Special to The Gazette-News.

Greensboro, Nov. 30.—The North Carolina teachers assembly came to a close at 12:30 o'clock this morning after a session crowded with business. Resolutions memorializing the next legislature to give women teachers recognition on the school boards and textbook commissions were adopted and the proposed child labor law was endorsed. A. C. Reynolds was chosen as president of the assembly to succeed E. C. Brooks, and [illegible] Noble of Chapel Hill was elected vice president. No secretary was chosen. The two members of the executive committee elected yesterday are C. W. Massie of Durham and J. H. Highsmith of Wake Forest. The selection of place for meeting in 1913 was left with the executive committee.

There was a strong effort made to carry the assembly to Raleigh again and the sentiment among teachers seemed to be in favor of the capital city.

ENGLAND WINNER OF DAVIS TROPHY

Parke Defeats Heath in Final and Deciding Match at Melbourne.

By Associated Press.

Melbourne, Australia, Nov. 30.—England today won the title to the Dwight F. Davis cup, emblematic of the world's championship in lawn tennis, by winning the third match from the Australian defender.

The contest consists of four single matches and one double match, the team winning three out of the five matches becoming holder of the Dwight F. Davis international lawn tennis trophy.

On Thursday J. C. Parke and Charles P. Dixon of England defeated Norman Brookes and R. W. Heath of Australia in the first two single matches. Yesterday in the doubles match Normal E. Brookes and A. W. Dunlop, Australia, beat John C. Parke and A. B. Beaumish, British, with comparative ease.

This left the contest a fairly open one, as it was thought that the Australians might retrieve their fortunes and in the last two single matches carry off the victory. Their hopes, however, were disappointed, as Parke again won his match, this time beating Heath. The second match between Brookes and Dixon, went to the Australian, leaving the final score: England three matches; Australia two.

The match between Brookes and Dixon was the only one to be decided today. The Australian champion's enlisting was [illegible] for Dixon, although the latter made splendid rallies in the second and third sets. With [illegible] starting at "love all," the enthusiasm among the 7000 spectators was intense. Heath, the Australian, was partially [illegible] when he came on on the court to meet Parke, who is an older campaigner and appeared quite cool. Parke, by his consistent playing and [illegible] driving, made England's victory certain.

The score:

J. C. Parke, England, beat R. W. Heath, Australasia, 6-2, 6-4, 6-4.

Normal E. Brookes, Australasia, beat Charles P. Dixon, England, 6-2, 6-4, 6-4.

NO TOBACCO COMING FROM TURKEY NOW

Foresight of the Importers, However, Has Prevented Danger of a "Cigarette Famine."

By Associated Press.

New York, Nov. 30.—The Balkan war has virtually stopped importation of tobacco from Turkey to this city, but there is no fear that the Turkish cigarette will cease to be or that the price will be raised. Importers are always prepared for emergency by having a two years' supply of Turkish leaf stored away. Just now there are about 300,000 bales piled up in bonded warehouses in this city. The best Turkish tobacco comes from Macedonia in the district about Mahalich.

Real Mahalish or viacca leaf costs as high as $2.50 a pound. The duty on all Turkish tobacco is 35 cents a pound.

FLETCHER IS HELD, FORGERY IS CHARGE

Son of Wealthy Georgian, Well Known Here, Suffers Rupture of Blood Vessel After Arrest at New Orleans and Is Near Death.

By Associated Press.

New Orleans, Nov. 30.—John T. Fletcher, jr., son of a wealthy manufacturer of Georgia, arrested here last night on three charges of forgery, suffered the rupture of a blood vessel this morning and was taken from the parish prison to the Charity hospital. Physicians say his recovery is doubtful.

The police say Fletcher is wanted in 20 cities. Papers found in Fletcher's effects show that he was arrested several months ago in Asheville and he admitted to the police that his father secured his secured his release from the authorities of Kenosha, Wis., in September.

The police say he is wanted for passing bad checks in Chicago, Memphis, Charlotte, Denver, St. Paul, Toronto, Canada; Jacksonville and Pensacola, Fla. and other cities. Fletcher is charged here with passing three worthless checks amounting to $205. He operated under the names of Fletcher, Thomas and Franklin.

Wife's Appeals for Reform.

Two years ago Fletcher had an office in the Central Bank building of Memphis, as the representative of a fire extinguisher company. His father is said to be president and principal owner of the Fletcher Guano company of Columbus, Ga. His wife left him several months ago and returned to her parents in Birmingham, Ala. For the past several months she has been writing pitiful appeals to him to reform.

In one letter she writes:

"John, dear, I believe in you and love you as I have since the first time I saw you, but I can't live with a crook. For God's sake, John, and for the sake of your sick wife, who wants to do something for you and be happy with you again, go back to Columbus and start life anew."

Made Headquarters Here.

Fletcher was here for several weeks during the summer, making headquarters here as a traveling salesman for a fire extinguisher. He traveled over the territory in an automobile and became well known here during the summer season. He was arrested on more than one occasion for exceeding the speed limit with his automobile and for reckless driving and once for passing a worthless check.

On the occasion of this last arrest he explained to the court that his overdrawn account at one of the Charlotte banks was due to a misunderstanding of his partners, who were supposed to deposit a certain sum to his credit, and as he bore a good reputation here he was found not guilty. He left the city soon afterward and has not since returned. He was not suspected here of being a crook.

His Honor Dodges Shoe Hurled by Suffragette

While Aberdeen Woman Ex presses Displeasure at Court Decree by Tossing Footwear Her Compatriots Horse whip Divine They Mistake for Lloyd-George.

By Associated Press.

Aberdeen, Scotland, Nov. 30.—Militant suffragettes today brought about two scenes of extreme violence in which a woman's shoes and a horsewhip were used as weapons. The first outbreak occurred when three of the women, Joyce Locke, Fanny Parker and Mary Pollock, who had been caught last evening in possession of explosives in the music hall, where Chancellor Lloyd George was to speak, were brought up before the magistrate.

After hearing the evidence the magistrate remanded them for further inquiry. As he informed them of this Joyce Locke removed her shoes and hurled one of them at the magistrate's head and then threw the other at the head of the clerk of the court. She was promptly committed for contempt.

The second outrage was committed by one of the members of a party of suffragettes who were waiting at the railroad station for the departure of Chancellor Lloyd George. The woman mistook the Rev. Forbes Jackson for the chancellor of the exchequer in disguise and lashed him across the face with a heavy horsewhip. She was arrested.

AN EFFORT TO INVOLVE MISSIONARIES IN PLOT?

Korean Asserts Police Questioned Him Under Torture As to Guilt.

By Associated Press.

Seoul, Nov. 30.—The first mention of foreigners since the beginning of the new trial of the 106 Koreans charged with conspiring against the life of Count Terauchi, Japanese governor-general of Korea, was made today by one of the four prisoners on the stand. This man said the police examiner had questioned him as to whether he had consulted Rev. Dr. George S. McCune, head of the Syen Chun college, or Dr. A. M. Sharrocks, chief of the hospital in Syen Chun, or whether he had deposited a pistol with foreigners. The accused men declared that he had steadfastly denied these allegations throughout, throughout even though he had been beaten.

The introduction of the foreigners, names was entirely voluntary on the part of the accused. There was considerable difficulty in identifying the individual names because the Korean equivalent sounds quite different.

The court is continuing its examination of the members of the group alleged to have been at Syen Chun Station on December 29, 1910, to assassinate the governor-general. According to the documents laid before the court 15 of this group were armed with revolvers and the others with short swords. Some of the prisoners admit they were at the railroad station but declare they were there under orders from the prefect to assist at Count Terauchi's reception.

Furman Student a Suicide.

By Associated Press.

Greenville, S. C., Nov. 30.—After being missing from his room at Furman college since yesterday morning, the body of W. D. Watson, aged 21, a student was found today in a patch of woods two miles from the city by a party of students, who had been scouring the territory since yesterday afternoon. Watson, who has had frequent melancholy spells, is believed to have committed suicide, this theory being borne out by a note found in the dead man's clothes which reads: "No one else did this but me."

Watson's home was at Nixonville, in Horry county. He was a graduate of the South Carolina academy at Charleston and was taking a special course at Furman.

NEGRO ASSAILANT SHOT BY MOB OF GEORGIANS

Man Who Wounded Woman and Attacked Her Daughter Riddled.

By Associated Press.

Cordele, Ga., Nov. 30.—Chesley Williams, the negro who shot a white woman near Rhine and assaulted another, was dragged from the vaults of the clerk at McRae at 2 o'clock this morning by an angry mob and riddled with bullets. Sheriff Wilcox of Telfair county attempted to evade the mob with his prisoner by hiding the negro in the vault of the clerk in the court house at McRae but his efforts were unsuccessful. The lynching was quiet and the town is now orderly. Neither of the victims is dead, but one is not expected to live.

The negro was accused of entering the home of a prominent farmer near Rhine, a small town, in the absence of the male members of the family. The farmer's wife was shot and his 18 years old daughter was then assaulted.

The crimes were discovered when the farmer returned home and a manhunt was immediately organized. Acquaintances of the negro Williams are said to have revealed his hiding place to the sheriff.

Increase Capital Stock.

Special to The Gazette-News.

Raleigh, Nov. 30.—The Wrightsville Beach Hotel company of Wilmington today increased its capital stock from $75,000 to $200,000 in accordance with plans for enlarging facilities on the beach. Joseph H. Hinton is vice president and George Sloan secretary.

The Jefferson Standard Insurance company of Greensboro increases its capital from $250,000 to $350,000 under the plan of reorganization and absorption of the Greensboro Life and the Security Life Insurance companies. George A. Grimsley is president.

Red Tape Abolished in Senate!

By Associated Press.

Washington, Nov. 30.—Red tape in the United States senate has been abolished. By direction of Secretary Bennett not an inch of the historic tape was purchased this year and to the surprise of returning senators they are being compelled to transact their official business with a delicate shade of blue tape which the secretary has selected as a suitable substitute.

NAVY 6, ARMY 0 LAST PERIOD

At End of Third Period Neither Side Had Scored—Army Seemed Stronger.

MANY DISTINGUISHED MEN SEE CONTEST

Military and Civil Branches Well Represented at Franklin Field—The Weather Is Ideal.

By Associated Press.

Franlin Field, Nov. 30.—The army and navy played each other to a standstill in the first half in their annual football game on Franklin field this afternoon. The army, while it failed to score, showed superior playing both in rushing the ball and in punting. The navy line appeared to be weak and unable to successfully withstand the onslaughts of the army backs. The ends appeared to be unable to keep the army from making ground around the two wings.

Early in the first period, Keyes of the army missed a field goal by a hair and later the army came close to making a score when one of her forwards recovered a blocked kick about 15 years from the navy goal. At the end of the third period neither side had scored.

In the last period the navy scored two field goals. Final score: 6 to 0.

Philadelphia, Nov. 30.—The season's most colorful gridiron spectacle, the annual game between the army and navy, set for Franklin field this afternoon, was favored by ideal weather. The sky this morning was clear of clouds and the crispness of the air was tempered by a brilliant sun. Both teams were ready for the struggle.

Today's was the seventeenth gridiron contest between the two arms of the national service. In the 16 games played since 1890, the naval cadets have won eight, while their army rivals have been victors in seven; in 1905 a tie game was played. In today's contest the navy will be without the services of Dalton, who won for them in 1910 and 1911 by kicking goals from the field, the score in each case being three to nothing.

On the other hand the army, which has not won since 1908, this year boasts of a "skyrocket" drop-kicker in Keyes, the fullback.

Cadets Seem Stronger.

Supporters of both teams are professing confidence at the outcome, but a comparison of the scores made by the teams which face each other today is somewhat to the advantage of the cadets, whose team has been defeated only by Yale and the Carlisle Indians, while the midshipmen have lost to Swarthmore, Lehigh and Bucknell. The betting is 5 to 4 in favor of the army, but no one has ever been able to figure out the result of an army and navy battle by referring to scores of previous games. The teams have always developed unexpected strength in the crisis of their annual contest.

While a box had been reserved for the president of the United States in the center of the field on the army side, Mr. Taft did not attend the game. The secretary of the navy and the assistant secretary of war, with large parties of friends, were on hand to cheer their favorites. Admirals and generals, past and present, other active and retired officers of all grades had engaged boxes or had seats by the hundreds in the stands. The battalion of cadets, who arrived this morning from West Point, had two sections in the center of the south stand and the two battalions of midshipmen, who also came in this morning, had the north stand. Cabinet officers, members of the diplomatic corps, members of the senate and house naval committees, other members of congress, the governor of Pennsylvania, other state officials and high officers of the city were to attend the game. A private box was reserved for Governor Dix of New York.

Special trains from New York, Washington, West Point and Annapolis unloaded thousands of enthusiastic flag bedecked rooters. The battalions of cadets and midshipmen took luncheon at the University of Pennsylvania as the guests of that institution. The two teams rested during the morning.

The Line-up.

Army.	Position.	Navy.
Merrillat	L. T.	Ingram
Wynne	L. T.	Hall
Weyand	L. G.	Howe
Purnell	C.	Perry
Huston	R. G.	Brown
Devore, capt.	R. T.	Ralston
Markoe	R. E.	Gilchrist
Pritchard	Q. B.	Rodes, capt.
Benedict	L. H.	Leonard
Hobbs	R. H.	McReavy
Keyes	F. B.	Harrison

Referee, W. S. Langford of Trinity; umpire, Dr. A. L. Sharpe of Yale; head linesman—Andrew L. Smith of Pennsylvania; time of periods, 15 minutes.

Fire in Hotel.

There was a lot of excitement early today in a big Broad street hotel where the navy team is quartered, due to a little smoldering fire in the basement. Smoke found its way through the hotel, and "Scotty" McMasters, the veteran trainer of the team, who is is said never sleeps the night before

(Continued on Page Three.)