

# The Asheville Gazette News.

Weather Forecast  
SLOWLY WARMER.

THE GAZETTE-NEWS HAS THE MOST  
EXPENSIVE ASSOCIATED PRESS SER-  
VICE IN THE CAROLINAS.

VOLUME XIX. NO. 27

ASHEVILLE, N. C., FRIDAY AFTERNOON, MARCH 13, 1913

PRICE FIVE CENTS

## NEW AFFIDAVIT IN FRANK CASE

The Statement of Birmingham  
Woman Attacks Theory of  
State as to Time and  
Place of Murder.

HEARD SCREAMS IN  
FACTORY BASEMENT

Two Hours Later Than State  
Contents Murder of Phagan  
Girl Occurred on Third  
Story of Factory.

Atlanta, Ga., March 13.—An affidavit further attacking the theory of the state as to the time and place Mary Phagan was killed was made public here today by counsel for Leo M. Frank under death sentence for the factory girl's murder. Mrs. J. B. Simmons the affiant, alleges that she heard a woman scream in the National Pencil factory here between two and three o'clock on the afternoon of April 26, 1913—two hours later than the time the state contends the murder occurred. The affidavit further declares that the scream came from the factory basement and not from the third floor of the building, where the state charged that Mary Phagan was killed.

Mrs. Simmons' home is in Birmingham, Ala. In her affidavit she says she was visiting in Atlanta on the day of the murder and heard the scream from the street as she was passing the pencil factory. She further alleges that she reported the incident to local authorities on May 5, more than two weeks before the indictment of Frank, but that she was not subpoenaed to appear either before the grand jury or at the trial.

At the trial of Frank the state sought to establish that Mary Phagan was killed on the third floor of the factory near the office of the accused superintendent, a few minutes past noon. James Conley, negro factory sweeper and principal state witness, testified that between 12:30 and 1 o'clock he helped Frank take the girl's dead body to the factory basement and secret it there.

The state also contended that at about 1 o'clock Frank went to his home for lunch, returning to the factory again after three o'clock.

The affidavit of Mrs. Simmons, it is expected, will be included in the extraordinary motion for a new trial soon to be filed by the Frank attorneys Counsel for the convicted man would make no statement today as to the probable date this motion would be filed but it is understood it will be ready early in April. It may be filed at any date prior to April 17, the date set for the prisoner's execution.

RESUME CONFERENCES ON  
NEW HAVEN DISSOLUTION

Both Sides Making Effort to  
Work Out Plan Satisfac-  
tory to Government.

Washington, March 13.—Officials of the department of justice and the New Haven railroad resumed conferences today in an effort to find a plan acceptable to both sides for dissolution of the system.

Although Attorney General McReynolds and his assistants still were hopeful that the New Haven representatives would see their way clear to meet the demands of the department it was conceded that the negotiations had reached a critical stage and that further delay on the part of the railroad led to the filing of an anti-trust suit for dissolution by a court's decree.

The principal points of difference, it was said, involved the length of service of the trustees who are to take over and dispose of the Boston and Maine stock now owned by the New Haven and the disposition of some of the New Haven trolley lines.

## PAGE EXPLAINING ABOUT HIS SPEECH

Says Reports Were Too Con-  
densed—Prepares Reply  
To The Senate.

London, March 13.—Ambassador Walter Hines Page today received from Secretary Bryan notification of the senate resolution about his speech on the Panama canal and the Monroe doctrine delivered before the Association of Chambers of Commerce on Wednesday.

The secretary of state requested the ambassador to cable an explanation of the speech, and Mr. Page immediately began preparation of his reply.

After reading fuller accounts of the proceedings in the senate Ambassador Page came to the conclusion that the senators had been misled by the excessive condensation of his remarks in regard to his interpretation of the Monroe doctrine.

Mr. Page declared that he had distinctly said that the United States would object to or prohibit any European power from aking more territory in the New World and then in concluding had said amid the laughter of the audience:

"So you see that the United States would prefer that no European power should gain more territory in the New World."

The ambassador's remarks, he declared, had been too greatly condensed. When referring to the Panama canal he had said that Great Britain would profit most from the canal because she owned the great bulk of the world's shipping.

Berlin, March 13.—Duelling among army officers in the German army was strongly defended today by Lieutenant General Erich von Falkenhayn, minister for war, in replying to an interpellation regarding the duel on February 26 when Lieutenant Hange was killed. The minister for war said the institution of duelling was a necessity of the military caste. He made it clear that his efforts to diminish duelling in the army were directed not against the duel but toward the restriction of the number of cases in which an encounter was regarded as imperative.

"I personally would consider it a misfortune," he said, "if the conception of personal honor on which the practice of duelling is based should be eradicated. I admit that duelling is an offense under the laws of both God and man, and is an evidence of physical rather than of moral courage. Moreover, the penalty is liable to fall on the wronged man. Nevertheless, an officer must be the defender of his own honor and is entitled to regain his self esteem, to vindicate his manhood and to repel the imputation of lack of courage by facing his adversary, pistol in hand."

Duelling, according to the minister, is decreasing in Germany.

## CHARLESTON DRAWS LIGHTHOUSE DEPOT

Washington, March 13.—The new lighthouse service depot for the south Atlantic coast will be located at Charleston on a site on the mainland known as Chisholm's Mill landing.

Secretary Redfield today selected the Charleston site and thus ended a contest which has raged for months among Charleston, Wilmington, Savannah, Brunswick, Ferdinandina, and Jacksonville. Congress has appropriated \$125,000 for the depot which will be the supply station for lighthouse inspection district No. 5.

Declare Vessel Unseaworthy.

Gibraltar March 13.—Part of the crew of the H.British steamer Batican on her arrival today refused to proceed on the voyage to Philadelphia, declaring the vessel was unseaworthy.

Japs Reduce Navy Budget.

Tokyo, Japan, March 13.—The appropriation for the construction of new ships for the Japanese navy was reduced by the house of peers today by \$18,000,000, making the figure \$45,000,000.

## LOWER WESTERN RATES FOR N. C.

Interstate Commission Orders  
Better Rates From St.  
Louis and Ohio River  
Crossings.

RATES THROUGH TENN.  
MUST BE PROPORTIONAL

Subject to Change When The  
Commission Shall Rule on  
Long and Short Haul  
In the South.

Washington, March 13.—Railroads operating in the Virginia, North Carolina and Central Freight association territory were authorized today by the interstate commerce commission to establish rates from Ohio river crossings and from St. Louis to Carolina territory materially lower than those existing.

Rates through Memphis, Tenn., from points west of the Mississippi river to Carolina destinations, it was held, must be proportional, so adjusted as to prevent increased discrimination against intermediate points of origin.

These rates must be subject to change when the commission finally shall act upon the general long and short haul cases affecting schedules throughout the south.

## 43 SHIPS LIE ON MOROCCAN COAST

Wrecked by Terrific Hurricane  
Now Raging—Five Steam-  
ers Are Included.

Meilla, Morocco, March 13.—Forty-three ships lie wrecked today near this port, having been driven on the rocks and shoals by a terrific hurricane which started yesterday. The wrecked vessels include five steamers and 38 sailing craft.

The storm increased in violence today and a number of large vessels put to sea to avoid being smashed against the jetties.

## ANOTHER CANDIDATE IN RACE FOR TREASURER

J. Ed Brookshire of Azalea  
Makes Formal Announce-  
ment Today.

Another formal political announcement appears in the Gazette-News today for the first time. This announcement is made by J. Ed Brookshire of Azalea, who declares himself a candidate for the office of treasurer of Buncombe county, subject to the action of the democratic primary. He will oppose T. M. Duckett, the present treasurer, who is the only other candidate in the race to date.

Mr. Brookshire is widely known to the voters of the county having made the race for treasurer in one or more campaigns in the past. In the last primary the vote between him and Mr. Duckett was very close.

## SUFFRAGETTE PAPER DEFENDS VANDALISM

London, March 13.—Votes for Women, the suffragette newspaper edited by Frederick and Emmeline Pethick Lawrence, comments today on the mutilation of the "Rokeby Venus" in the national gallery as follows:

## WESTINGHOUSE POLICIES STAND

Will of Famous Inventor, Who  
Died Yesterday, Provides  
For the Continuation of  
Great Interests.

INDIVIDUAL WEALTH  
MORE THAN \$50,000,000

Was a Foremost Figure in  
Engineering World—Began  
Inventing Career at the  
Age of 15 Years.

New York, March 13.—George Westinghouse, engineer and inventor, who died here yesterday of heart disease, provided in his will for continuation of his interests under a trusteeship.

It was officially stated today that his death will not cause any change of policy or operation in connection with any of the Westinghouse industries.

The individual wealth and holdings of Mr. Westinghouse have been estimated at more than \$50,000,000. Mr. Westinghouse, who was in his 68th year, will be buried Saturday in Woodlawn cemetery, this city.

George Westinghouse, a foremost figure in the engineering world and inventor of the airbrake that bears his name, died late yesterday at his residence here. Heart disease manifested itself about fifteen months ago and the end came a few hours after it became publicly known that Mr. Westinghouse was seriously ill. He was in his sixty-eighth year.

Westinghouse became an inventor at the age of 15, when he produced a rotary engine. Four years later he constructed a device for replacing de-railled steam cars. Then, when 21 years old, he won the financial backing of the late Commodore Cornelius Vanderbilt, for his now famous airbrake, perfected after three years of labor.

For half a century Mr. Westinghouse continued to make other contributions to electrical as well as engineering advancement.

George Westinghouse was born in the village of Central Bridge, near Schenectady, N. Y., October 6, 1846, and attend the public school in Schenectady. He entered Union college but left in 1862 to serve in the war between the states. His love for engineering led to his transfer from the army to the navy, where he became attached to the Potomac flotilla, acting as third assistant engineer.

In August, 1867, Mr. Westinghouse married Miss Margaret Erskine Walker, who survives him, together with their one child, George, Jr., who lives near Lenox, Mass.

## SURPRISED BANDITS KILL ENGINEER WOUND THREE

Pitching Merchandise From  
Train When They Were  
Interrupted.

Peoria, Ill., March 13.—Bandits, who were interrupted while pitching merchandise from a Chicago and Northwestern freight train near Manlius, Ill., early today, killed the locomotive engineer and shot the fireman and in a battle that occurred later with a posse, probably fatally wounded a deputy sheriff and hit another man. Two of the robbers were shot by the posse which is continuing its pursuit of two more of the band.

## QUIZ CARNEGIE PEACE OFFICIAL

Secretary of Endowment Des-  
tifies Before Senate Lobby  
Committee Concerning  
Institution.

INVESTIGATION FOLLOWS  
CHARGES OF O'GORMAN

Committee Seeks to Ascertain  
Whether The Institution Is  
Interested in Panama  
Tolls Question.

Washington, March 13.—James Brown Scott, secretary of the Carnegie Endowment for International Peace, before the senate lobby committee today submitted the financial statements of contributions to the support of the institution and a record of disbursements.

Investigation into the endowment was precipitated by the charge made in executive session in the senate by Senator O'Gorman that its main purpose was not to promote international peace but to bring about a British-American alliance in the interest of a selected few who supported the institution.

Senator O'Gorman is leading the fight in the senate against repeal of the Panama canal tolls exemption, and the lobby committee sought to find if men interested in the endowment were in any way interested in that issue.

Senator Walsh went through the financial statements with the witness, seeking detailed information as to how the 500,000 annual revenue of the endowment is expended. The outcome is derived from five per cent bonds of the United States Steel corporation.

Mr. Scott said the department of international law, which he is directing, was preparing a review of legal history of all nations on this subject and to circulate a review of the world's arbitration treaties.

"It is our belief," he said, "that the best way to show what can be done is to show what has been done."

Senator Walsh asked particularly as to an annual contribution of \$31,000 to the American Peace society shown in the statements. The witness said this organization was headed by Senator Burton and distributed to smaller peace organizations throughout the country documents prepared by its agents dealing with the peace propaganda. He agreed to produce copies of all which dealt with general arbitration treaties or canal tolls exemption.

A physician notified Chairman Overman that Clarence W. DeKnight, who was examined yesterday, had suffered a nervous collapse and would be unable to appear. DeKnight had promised to produce his contract with former Rear Admiral Bowles, head of the Fore River Shipbuilding company, relative to work he did during pendency of the Panama canal act.

Inquiry into the peace endowment records showed an allotment of \$7,469 in 1913 for "propaganda for Panama tolls." This, it was disclosed, never was expended and still was carried on the books.

## HENDERSONVILLE WANTS MEMBERSHIP IN LEAGUE

Application to be Considered  
At Meeting of Athletic  
Committee.

President J. M. Roberts of the Western Carolina Intercollegiate Athletic league this morning received application from the Hendersonville High School Athletic association, for membership in the league. The matter of granting this application will come before the executive committee at a meeting to be held tomorrow morning at 10 o'clock at the Y. M. C. A.

## BENTON SLAYER UNDER ARREST?

RICHEPIN FIGHTS  
WITH P. FRONDAIE

French Author Wounded by  
Theater Manager—Wives  
Were the Cause.

Paris, March 13.—A sword duel fought today between Jacques Richepin, son of Jean Richepin, the "Immortal" and Pierre Frondaie, author of a play now being performed in Paris, resulted in the wounding of M. Frondaie.

The quarrel arose out of an incident in the lobby of a theater on Wednesday, Madame Frondaie, it is alleged, made some cutting remarks to Jacques Richepin's wife, known as Madame Cora Laparcerie, who is co-manager of the theater. M. Frondaie took full responsibility for his wife's comments and was thereupon challenged to fight by M. Richepin.

The encounter took place on the lawn of a house in the suburb of Neuilly. More than a hundred notable literary and dramatic men watched the combat from behind hedges and windows while numerous reporters, photographers and moving picture operators occupied a loft overlooking the lawn.

The wives of both principals appeared but were not allowed to watch the combat. They remained on the road outside in their automobiles, where they were surrounded by crowds of women friends. They could hear the sounds of the clashing swords from where they sat.

During the first bout neither combatant was touched. In the second however, M. Richepin's sword penetrated M. Frondaie's forearm and the engagement was brought to an end.

Jean Richepin then embraced his son, and his wife threw herself into his arms while Madame Frondaie helped the surgeon to dress her husband's wound.

The combatants left the ground without being reconciled.

## CONFIRM SAFETY OF WOMEN MISSIONARIES

London, March 13.—The safety of the two Misses Black of the British China inland mission who were reported missing after the burning and looting of the town of Lao Ho-Kow, Hu-Peh, was confirmed in an official dispatch from Peking today.

The two women arrived today at Fan Cheng.

Unconfirmed Reports That  
Mayor Fierro Is In Custo-  
dy For Killing Briton  
Are Believed.

GARRANZA INQUIRY IS  
SAID TO BE THE CAUSE

Also Reported to Be Convinc-  
ing Evidence That Colonel  
Avila Ordered Execu-  
tion of Bauch.

El Paso, Texas, March 13.—Unconfirmed reports received here that the commission appointed by General Carranza had caused the arrest of Major Rudiofio Fierro, one of General Villa's subordinate officers, as the slayer of William S. Benton, a British subject, were given credence today by those interested in the case. The reports stated that Major Fierro was held on a blind charge for the killing of two Mexican railroad men in a resort at Chihuahua. At the time of Benton's execution it was reported Fierro was in General Villa's office, said to have been the scene of the execution.

General Carranza's commission is said to have gathered convincing evidence that Colonel Fidel Avila, commander of the rebel garrison at Juarez, ordered the execution of Gustav Bauch, a German-American who was tried as a spy but in whose case no verdict was rendered. Bauch was not executed until two days after General Villa had left Juarez, it is said. It is not known whether Avila had orders for the execution but the commission is said to have evidence indicating that he directly ordered the execution of the German-American.

Developments connecting Fierro with the Benton case has been looked for since Monday, when the major was removed as general manager of the rebel railroads. Many had looked for Fierro's "disappearance" or apparently accidental death.

French Cruiser Arrives.  
Washington, March 13.—Commander Taylor of the cruiser Buffalo at Guaymas reported to the navy department today the arrival of the French cruiser Montcalm, commanded by Rear Admiral Hugot. The Montcalm will go to Santa Rosalia on the coast of Lower California, where there is a considerable French colony.

There will be a called meeting of the Saturday Music club on Saturday afternoon at 4 o'clock at the Y. M. C. A. to arrange for the Rappold-Metzger concert.

For your boy in high school. You can't do better.

COUPON  
Save it for a Copy of  
THE PANAMA CANAL  
by Frederic J. Haskin  
Gazette-News, Friday, Mar. 13  
Colonel Goethals says: "Accurate and Dependable"

HOW TO GET THIS BOOK  
On account of the education value and patriotic appeal of this book, The Gazette-News has arranged with Mr. Haskin to distribute a limited edition among its readers for the mere cost of production and handling.  
It is bound in a heavy cloth. It contains 400 pages, 100 illustrations and diagrams, an index, and two maps (one of them beautiful bird's-eye view of the Canal Zone in four colors). IT IS ACTUALLY A \$2.00 VALUE.  
Cut the above coupon from six consecutive issues of the paper, present them with 50 cents at our office, and a copy of the book is yours. Fifteen cents extra if sent by mail.  
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