THE WEATHER
SHOWERS

THE ASHEVILLE CITIZEN

NOMINATE YOUR CANDIDATE TODAY AND WIN THE MORRIS CHAIR.

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WHITAKER'S FATE STILL HANGING IN THE HANDS OF THE CHOSEN TWELVE

At 10 O'clock Last Night No Verdct Had Been Returned; Jury Locked Up.

MIS-TRIAL NOW THOUGHT PROBABLE.

Proceedings Were Featured By Arguments of Messrs Settle and Holton.

At 10 o'clock last night the Whitaker jury reported that it had not reached an agreement, and it was then locked up for the night It is now thought that a mis-trial will result.

It was not so much the question of the guilt or innocence of Rev W G Whitaker which concerned the massed crowd of spectators in Federal court yesterday as interest in the contest between Hon. Thomas Settle, attorney for the defendant, and District Attorney A. E. Holton of the United States, the prosecutor. It was a rare treat the audience had because man, a day has passed since jury addresses of such forceful eloquence have been heard here, speeches which sounded all the notes of scathing denunciation, invective and pathetic pleading. They ran the whole scale, those speakers of different methods, Settle and Holton, and the feelings of spectators were swept from one extreme to the other, and if either needed to establish his reputation he should feel satisfied.

As has been said the two speakers have different methods. Mr. Holton's style is well known. As always well prepared, a tireless worker, he swung a hammer to beat down the defense, and with words of plain denunciation pointed the defendant as a swindler, one who preyed on the earnings of helpless old women, and with acute analysis he reached the weak spots in defendant's armor. Unenviable indeed was the defendant when the district attorney was in the full tide of his argument.

Mr. Settle's was the sword play, the acute weapon of sarcasm and logic in the hands of a master who feared not to use it and he reached not only weak spots but places in the Government's attack which seemed invulnerable. It was a masterly effort, the best he ever made in this city and perhaps the equal of any in his life, embracing not only a thorough knowledge of law but a complete preparation on facts and at its close he received what would have been an ovation had not court continued in session A it was he was surrounded by men who congratulated him warmly If a speech could save him Rev Whitaker might well have left the court room because so shrewd, so adroit and well effected attack on a prosecution is rarely seen

Mr. Settle's Brilliant Argument

Mr. Settle began his closing argument for the defense at 10 o'clock and it was early seen that he was going to make the best effort of his long practice before the Asheville bar Mr Settle's address to the jury was replete with logical and pithy argument and he displayed remarkable familiarity with international law. He arraigned the Bank of England authorities for conspiring to rob the lawful heirs of the Whitaker estate, and he sarcastically asked District Attorney Holton why the prosecution had been asleep all these years and had waited until Whitaker was about to present his claims to the English courts But one of the strongest features of Mr. Settle's argument was his merciless scoring of Postoffice Inspector Harshbergar He drew a dramatic picture of Harshberger stealing into Whitaker's room at the hotel and rifling it, as Mr Settle expressed it, "like a common thief" Imagine if you can," raid Mr Settle, "a man worming himself into your confidence pretending to be your friend During your absence he steals into your room like a common thief and bursts open your dress suit case Imagine the ghoulish glee with which your pretended friend dives into your private

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PROUD MOTHER HUMILIATED BY UNCOUTH SON

The Old Van Rensselaer Name Dragged Into the Mire of Scandal.

SON THREATENS TO KILL HIS MOTHER

Is Thereupon Arrested and the Remarkable Letter is Made Public.

(By Associated Press.)

NEW YORK, July 20.—John A. Van Rensselaer, son of Mrs. John King Van Rensselaer, and a member of one of New York's oldest families, was taken into custody tonight on a charge of attempted extortion. The arrest was made on advices from Chief of Police Crowley of Newport, R. I., who received a complaint from Mrs Van Rensselaer that her son had written a letter threatening her with bodily harm unless she provided him with funds.

Van Rensselaer is about 30 years of age. He is connected with a local brokerage house, and when he returned to his home tonight he was placed under arrest by detectives, who produced the letter alleged to have been written by Van Rensselaer to his mother. The detectives and Lieutenant Mannion, before whom Van Rensselar was brought in the police station, declare that the young man declared that he had written the letter, which is without any conventional beginning or ending and in which the postscript is unsigned. The letter reads:

Strange Letter.

"I have just seen Lawrence Lee, and I am given to understand that you will pay thirty dollars per month for my board if I will go three hundred miles from New York, and that I must have your written consent to leave the place that you may select.

"Did it ever occur to yo uthat I have an absolute remainder interest in Aunt Frances' estate securities, and that by blowing your head off that my wife would have an income sufficient to support her?

"I will take that course if necessary, and upon my head will rest the consequences (Thaw is still alive, maybe I will be.)

"In any case, my wife, God bless her, will benefit by your demise, even if I don't.

"I have seen many disagreements and suffering in my life, and I must say that most of it is due to you. A selfish peacock, whose name in these times amounts to nothing and who is almost if not entirely forgotten in circles once tread

"I am now in no humor to be trifled with, and I wish to go on record that I will take action on sight unless something is done at once You gave Harold $8,000 and a trip to Europe What have I had for being honest?

(Signed) "J. A. RENSSELAER."

"P. S.—I want you to raise on that fancy name of yours $5,000 for me If you are such a great lady, make good; if not, keep out of my sight I can raise cash enough yet to go to you, wherever you are, and I haev a good name."

Van Rensselaer was later taken to police headquarters and the police of Newport, where Mrs Van Rensselaer is now residing, were notified of the arrest The prisoner made inquiries regarding bail, and spoke vaguely of a man named Lee, who would be glad to furnish it Van Rensselaer will be carefully observed by the police

Admits Writing It.

Admitting to Lieutenant Mannion

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PEERLESS ONE WAS GIVEN THE WRONG DOPE

Wise Guys of the East Gave William Jennings Bum Steer on Platform.

BUT YOUR UNCLE BILL WAS ON DECK

He Sat on Anxious Seat for A Spell But Now He's on Easy Street.

FAIRVIEW, LINCOLN, Neb., July 20.—Influential eastern democrats have told W. J. Bryan that in their opinion the anti-injunction plank of the platform, adopted at Denver was hardly worth the paper it was written on, the reason alleged by them being that the David B. Hill bill, passed by the senate, which is specifically indorsed by the democratic plank, simply carried out the common law provision, granting a jury trial in contempt cases" in the jurisdiction of the presiding judge."

The plank was drafted on the assumption that the Hill bill was passed only after it had been amended by Senator Allen, of Nebraska, to make trial by jury mandatory at the request of the defendant.

Mr. Bryan spent several anxious hours after he received this information. While reasonably sure of his ground, the allegation that he and the majority of the committee on resolutions had been tricked caused him to worry and he admitted that he would have an inquiry set on foot.

The Associated Press correspondent this evening relieved this suspense by submitting to Mr. Bryan advices from Washington showing that the Hill bill as finally adopted by the senate in 1896 provided for summary punishment by the court in direct contempt cases, but made it mandatory for the court to grant a trial by jury in all cases where such contempt was committed outside of the jurisdiction of the court and where such jury trial was demanded by the accused.

It Was O. K.

This was as Mr. Bryan remembered it and it cleared up what threatened to be an awkward situation for the democratic candidate.

What part the prohibition question will play in the campaign, was talked over by Mr. Bryan and Wilcy R. Phillips, editor of the California Voice, of Los Angeles, who is returning from Columbus, Ohio, where he was a delegate to the national prohibition convention.

"We agreed" said Mr. Phillips, "not to discuss for publication what was said at our conference."

Mr Phillips, however, volunteered the statement that a number of prohibitionists would vote for Mr. Bryan as against their own candidate. He thought the prohibition movement would affect the vote in the close states and was unwilling to concede to Taft many of these votes

The appeal of Mr Bryan to the farmers of the country for campaign contributions is bearing fruit. Today a number of responses were received, the sums inclosed varying in amount. Two retired farmers of Omaha one aged 82 and the other 79 years, preferred to deliver their contributions in person They hobbled up the pathway to Fairview and each placed in the hands of Mr Bryan a $5 bill

An appeal, by Mr Bryan to the democratic newspapers of the country to begin the collection of funds for the campaign, was one of the important happenings of the day

MAN SOLD FOR $2,500.

(By Associated Press)

CHARLESTON, S. C., July 20.—Pitcher George F Paige of the Charleston team has been sold to Manager McGraw of the New York National team for $2,500. Paige will report as soon as Manager McGraw wants him. Paige was obtained from the Denver team at the beginning of this season. He was a member of the local pitching staff last season

BISHOP POTTER RELAPSED

COOPERSTOWN, N. Y., July 20.—Bishop Henry C Potter, who has been ill since June 17 at Fernleigh, Mrs. Potter's home here, suffered a relapse today and tonight his condition is again grave

RUNNERS STILL RUNNING

SOUTH BEND, Ind., July 20.—Chicago Y. M. C. A. runners, with the message from Mayor McClellan, of New York, for Mayor Busse, Chicago, left South Ben dat 10:20 o'clock tonight for Michigan City, expecting to cover the distance before daylight tomorrow

(By Associated Press.)

WASHINGTON, July 20.—Forecast for North Carolina: Showers Tuesday and Wednesday; light to fresh south winds.

TAFT ASSISTS IN OPENING OF COURT HOUSE

Delivers Some Choice Platitudes on Courts and Justice, etc.

DECLARES JUDGES ARE UNDERPAID

Also Uphold the Right of the People to Criticise Administration of Law.

HOT SPRINGS, Va., July 20.—Judge William H. Taft today assisted in the opening ceremonies in the opening of the court house at Germantown Va., five miles from here The subject of his speech was "The administration of Justice by Courts." He was greeted by a large assemblage of sojourners at neighboring resorts and inhabitants of the section. He was given a warm reception.

He justified proper criticism of the courts by the people because by such criticisms "those who administer justice shall feel that they are under the critical eye of men and women entitled to have justice administered without fear or favor." He could not come into the atmosphere of the court, he said, without a feeling of deep regret that he had ever left the bench. He concluded his remarks by congratulating Bath county upon the fact that in it the two great political parties are nearly equally divided, which, he said, was a guarantee against evils in the administration of the government.

Judge Taft was frequently interrupted by applause. Mrs. Taft accompanied her husband to the court, which was reached after a drive over splendid mountain roads. Judge Taft was presented to the assemblage by Mrs. J. D. Rivercomb, a member of the board of supervisors of the county. In presenting him Mr. Rivercomb spoke of his wide and veried experience in public life and in conclusion said:

Starving High Priests.

"I take pleasure in introducing to you the next president of the United States."

"I don't like to introduce a joint discussion just at this time" said Mr. Taft in opening his remarks, and I venture to say that the last statement of the distinguished gentleman might not receive unanimous concurrence through the country But we are not here this morning to talk politics. I appreciate much the hospitality of Virginia and of Bath county in inviting me, a stranger within your gates, to come and take part in this interesting ceremony

"We are here today for a function, the dedication of what is certainly a beautiful court house I am reminded as I look at this court house of a letter which Mr Justice Jackson of the supreme court, wrote to Senator Hoar, the chairman of the judiciary committee, with reference to the salaries of the judge Said he "My Dear Senator As I go about from city to city and come into these great beautiful federal court houses I think the policy of the United States government may be described as erecting magnificent temples to justice and starving the high priests'

People Govern Courts.

"This scene today is one who looks at it in comparison with other countries, suggests the blessing of a free government Those who have had an experience with other countries will realize that in many of them a government means to the people an entity different from themselves, something in a sense antagonistic to them In such countries among the people there is an absence of a sense of responsibility as to what is done by the government such as we have here to day Such sense of responsibility such desire to help government I illustrated in every meeting of this kind the country over They come from the belief that we the people, are the government and in courts of justice it is increased by the fact that the people take part in the administration of justice that they are called upon to be the jury that they are part of the tribunal that decides the issue of fact and the law, that they are part of the posse comitatu that goes out with the sheriff to enforce the law and make it effective to carry out the decrees of justice As long as the people feel that these are their courts that this is their justice and that when it goes wrong when it results in injustice they ought to be ashamed for it and they are responsible for it we can count on a continuance of a secure government.

"The administration of justice in the country perhaps better illustrates what I have said and the principle of it than even in the city. It is understood that the practice is for all the country people to gather about on court day to watch the proceeding to learn the law as it is delivered from the bench; to take an interest in the issues as they are presented to the jury of their neighbors, to criticise as they have the right to in a proper way the rulings of the court, or the verdict of the jury, so that those who are administering justice shall see that they are under the critical eye of men (and I may say of women) entitled to have the justice of the people administered without fear or favor."

EIGHT POINTS BETWEEN U.S. AND BRITAIN

Latter Country Still Leads Americans by Score of Eight Points.

CARTMELL, KNOWN IN CITY, WINS A HEAT

C. M. Daniels, of New York, Wins Swimming Event in Record-Making Time

(By Associated Press.)

LONDON, July 20.—The second week of the Olympic games at Shepard's Bush, began with first day devoted principally to field sports such as Americans are accustomed to witness. The track athletes were the stars and the program contained many fast and exciting events. The American and British runners and jumpers gathered in the lion's share of the laurels as usual, but the Americans exceeded even the expectations of their supporters.

Several hundred Americans, mostly tourists, with many ladies, who were massed together in the seats next to the royal box, gave an exhibition of cheering which suggested an American crowd, and immensely amused the foreigners. The attendance at the games was fair, but the weather in the afternoon was gloomy and threatened rain. The spectacular features today were the seventeen trial heats of the 100 metres sprint, and the eight trial heats of the 800 metres. These furnished several close and stirring finishes. In the sprints, America captured eight heats and Great Britain four. J. A. Rector, of the University of Virginia, was the particular star, for he beat McLeod, of Cambridge, the holder of three varsity blues, who never before was beaten, and in doing so he equalled the Olympic record for the distance, of 10 4-5 seconds.

Three Americans.

The names of Sheppard, Halstead, and Beard, the Americans, went upon the blackboard as the winners in their heats in the 800 metres race. This event proved a disappointment to England, which was counting upon more than the two heats which it took The German, Braun, much to the surprise of the Englishmen, outran Holding, who was one of their main stays Lunghi, of Italy, beat H. L. Coe, of the University of Michigan, in the excellent time of 1:57 1-5, and he and Just, the Cambridge half mile champion, who captured the sixth heat in 1:57 4-5, will give the Americans a hard tussel in the finals

C. J. Bacon, Irish-American Athletic Club, captured his heat of the 400 metres hurdle race in 57 seconds, winning by 25 yards, while Coe distinguished himself by defeating Denham, the former British champion, although he had just contested a hard 800 metres against Lunghi The British won six and the Americans three of the nine heats in the hurdles but the majority of these were unexciting because they were a walk over The American colors were raised to the flag-pole three times, signifying victory in the finals in the 100 metres swimming, the standing broad jump and the bantam catch as catch can wrestling, but these triumphs did not inspire such thrills as the track performances because few spectators in the vast Stadium could see them.

Wins Swimming Race

C. M. Daniles, of the New York Athletic club, the American champion, as was expected, won the swimming event in the fast time of 1:05 4-5, which equals the Olympic record He was closely followed to the tape by De Halmay, of Hungar, with John of Sweden third. L. G. Sich Brookline, Swimming Club, who was second to Daniels in the semi finals, finished fourth in the final

The standing broad jump contest was practically an American event, although no notable records were made Ray Ewry, the American champion, being behind his own record made at St Louis. His greatest distance today was 10 feet 11 inches Tsiclitiras, the Greek jumper, was in third with 10 feet 5 1-4 inches, one quarter of an inch better than Martin J. Sheridan, Irish American Athletic Club. J. A. Biller Brooklin Central Y. M. C. A. Platt Adams New York Athletic Club, and F. L. Holmes, of Chicago, and the English champion, Reader, were only a fraction of an inch behind. Sheridan George N. McNeirt National Turn verein (American) took the lead in the bantam wrestling, while George W. Dazik, Chicago Athletic Association, won his heat in the high diving competition. France won the medal for fencing in which the many bouts were almost monopolized by continentals

Britain Still Leads

The results today added three wins to America's score and one to France, the other nations not improving their positions In the field events America added six points, while Greece, the only other nation to increase it score in these contests picked up three. America is now only eight points behind the United Kingdom the score reading

United Kindogom 54, America 46

The drawings for the heats in the second round of the 100 metres flat race, which will be run off tomorrow afternoon are as follows

First heat Maj and Stevens of America Walker of South Africa, Roche United Kingdom

Second heat—Sherman and Hamil-

(Continued on page two.)

WILL CARRY WAR INTO THE ENEMY'S COUNTRY SAYS KITCHIN MANAGER

Mr. Jas. S Manning Who is in the City Outlines Plan of State Campaign.

ELLER OF WINSTON TO BE CHAIRMAN

Committee Will Probably Name Glenn's Manager For the Coming Fight.

Mr James S. Manning of Durham, who managed Hon. W. W. Kitchin's primary campaign for the gubernatorial nomination, arrived in town Saturday for a short stay. He is accompanied by Mrs. Manning and his three children. To Mr Manning was due perhaps more than to any other man in the state the success of Mr. Kitchin in his remarkable fight for the governorship against Hon. Locke Craig of this city, and he is thus in position to know what is in prospect on the political horizon. He talked very freely to a representative of The Citizen last night regarding the political outlook and the plans for the coming state campaign.

The campaign will soon be upon us in all its fury. Although the republicans do not nominate their ticket until August 26, the democrats will go ahead with the campaign. The executive committee meets Thursday in Raleigh to name a chairman to succeed H. G. Chatham, who declined to take the position again. Mr. Manning will go down to the meeting. He says that A. H. Eller of Winston is almost certain to be selected as the next chairman. Mr. Eller managed Governor Glenn's campaign, and proved his ability as a manager during that contest. He is one of Mr. Kitchin's closest political friends, and as such would put the best that is in him in the fight. The present secretary of the committee, A. J. Field of Raleigh will in all probability be retained in the position which he has already held so many years.

West Will Be Battleground.

Mr. Manning says that in his opinion the western part of the state will be the scene of the greatest democratic effort in the campaign. Mr. Kitchin favors carrying the war into the enemy's country, and inasmuch as the bulk of the republican vote comes from this part of the state the democrats will concentrate their fight here. In case J. J. Britt of this city receives the republican nomination for governor the fight would be almost wholly concentrated here—in the mountain counties.

It is likely that the recent prohibition election will play no inconsiderable part in the fight. According to Mr. Manning, the democrats will make a special effort in the anti-prohibition counties, such as Orange, Chatham, Wake, Johnson, Caswell and Person, Mr Kitchin's own county. It is not anticipated that these counties will go republican, but the party managers realize that there is much discontent on account of the "steam roller" methods of the rest of the state in forcing prohibition on them against their will, and the people of these counties charge all this up to the democrats. Of these counties, therefore, as well as in those counties where the republican vote is large, the campaign managers will concentrate their heaviest artillery.

To Look After Close Counties.

Mr Manning will urge upon the committee the necessity of looking more carefully after the counties that are getting uncomfortably near the doubtful point In the last legislature there were twenty counties which had scant representatives to the lower house on a scant majority of 150 votes or less. Heretofore the policy of the party has been largely one of indifference to some of these counties. Knowing that their little majorities were certain the party managers have lent their efforts toward piling up still greater majorities in those counties that already were in the habit of giving a large vote. This policy will be changed this year. The sure counties will be left to do their own fighting while the doubtful and close counties will receive all the assistance the state committee organization can give them

Mr Manning says that he has traveled pretty extensively throughr the state since the Charlotte convention, and finds no serious disaffection anywhere. He expects Kitchin to carry the state by the usual majority, but it is evident from his conversation that

(Continued on page 2.)

PEN AND PRESS; NO WORDS & WIND

Bryan Has Lost Faith in Political Stump Speeches; Believes in Newspapers.

(By Associated Press.)

COLUMBIA, S. C., July 20.—"Mr Bryan's campaign will have at least one novel feature," said William E Gonzales, editor of The State, who returned today from a trip to the west during which he twice visited the democratic standard bearer at Fairview. "That feature will be the resort to the pen rather than the tongue, to the press rather than the platform

"When I appealed to Mr. Bryan to make as vigorous a canvass as in 1896 said Mr. Gonzales, "he reminded me that he was now 12 years older 'and besides' said Mr. Bryan, 'I believe I can be more effective in writing arguments for democracy that newspapers can use, if they will, over my signature.'

"When I saw him last week, it was Mr. Bryan's intention to deliver two, perhaps three speeches in New York state, one of them in New York City, and six or eight speeches in the state of Illinois, Ohio, and Indiana. He proposes to discuss fully some one democratic principle in each of these addresses. To remainder of the campaign Mr. Bryan expects to stay at home and prepare letters or articles in the nature of signed editorials for such newspapers as will use them. He will also discuss the issues with any democratic speakers that wish to consult him. Mr. Bryan feels much encouraged and feels very hopeful and markedly more buoyant than before the convention."

GIRL TELLS OF FIANCE'S CRIME

Miss Ebenhard Recites an Amazing Tale of Cold Blood and Cunning Murder

(By Associated Press.)

NEW YORK, July 20.—Believing that they were about to capture August Eberhard, the grocer's clerk who is sought by the police in connection with the murder of his aunt, Mrs Ottelie Eberhard, the police and citizens searched a two-acre thicket at Oakland, N. J., tonight, finally capturing the suspect, only to learn that he was a tramp

There was a pathetic scene enacted today, when Miss Eberhard was taken to the scene of the tragedy. The girl showed a remarkable memory and accurately guided the detectives to the spot where her mother was slain and where she herself was wounded. The girl was deeply affected, but she showed great courage and retold the story of the shooting She said that when her cousin "Gus," who was also her fiance helped them off the trolley it was already dark and a thunder storm was coming up He led them northward for some distance, and then excitedly announced that he was lost and did not know which way to go. They decided to push on ahead, the girl said, and had gone but a short distance when they stumbled upon the tracks of the Susquehanna railroad "This will lead us to a town or a house," she said her cousin stated Then they walked along the track The storm came up and the lightning flashed in blinding brilliancy Suddenly, the girl says she heard her mother cry out, but after there had been a flash of lightning "I have been struck by lightning," she heard her mother say Mrs Eberhard sank to the ground, and the girl started to her aid, when she saw the flash from a revolver and heard the report of a shot A bullet whistled by her head The shots came from between two freight cars she believes While the girl was hesitating what to do, she says her cousin started to push her along the tracks ahead of him, and kept telling her to hurry He accompanied her only a few steps, she declares, and then she had to go on alone Every time she looked back, she says, there was a pistol shot, and two of the bullets hit her, but inflicted only slight wounds

The girl found refuge in the home of a farmer, and Eberhard has not been seen since

TWO WOMEN AND DETECTIVE ARE ARRESTED IN GOULD DIVORCE

NEW YORK, July 20.—Charged with subornation of perjury in an alleged attempt to prepare false testimony for use in the divorce case of Helen K Gould gainst Frank J Gould, Mrs. Julia E Fleming, a seamstress and Henry S Mousley, member of a firm of private detectives, were arrested tonight Assistant District Attorney Smyth caused the arrests to be made upon hearing the allegation that Mausley and Miss Fleming, together with a woman whose name the authorities refused to give and who is said to be ill had attempted to bribe Mabel McCausian, a milliner's apprentice to give false testimony in the Gould case.

Miss McCausian, it is alleged, had been told that she would receive from $7,000 to $10,000 for making an affidavit that she had seen the defendant in the Gould case visit certain apartments in a hotel in this city one morning last March. Miss McCausian became frightened and got into communication with the district attorney's office Mr Smyth arranged a meeting for today and Miss McCausian was taken to the apartments of un-named woman. There, according to Assistant District Attorney Smyth she met Mrs. Fleming an dthe private detective Shesigned a prepared affidavit but did not swear to it Assistant District Attorney Smyth exonerates Mrs Gould's attorneys of any possible knowledge of the matter. He said tonight:

"The preparation of this sort of evidence, was I think, was undoubtedly left to the detectives They alone, in my opinion, are responsible."

Send in Flat Packages—Do Not Roll.

GRAND $3,000 PRIZE CONTEST

The Asheville Citizen.

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Candidate .....

Address .....

This coupon, if clipped neatly, brought or sent to the office before expiration of date printed below, will count as ONE VOTE for the above named Person..

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