### THE WEATHER: SHOWERS

### VOL. XXVII., NO. 290

ASHEVILLE, N. C., TUESDAY MORNING, AUGUST 8, 1911

THE ASHEVILLE CITIZEN.

PRICE FIVE CENTS

CITIZEN WANT ADS

BRING RESULTS

# THAT MBS. GAMBIER WAS NOT DESERTED **VERDICT OF JUDGE**

Former Atlanta Society Gir Loses Fight for Separation From Husband

NO SUGGESTION OF CHANGE OF HEART

Impossible for Judge to Agree With Her Contention of Acquiescence

sell Gambier, the former Atlanta so-president included the rest of the na-ciety girl, loses her fight for a sep- tion as well: aration and the writ she prayed for goes instead to Edward V. Gambier, her husband, a New York bank cash- by ratifying this treaty the senate down in her action by the Supreme tion of treaty making. I confess mycourt this afternoon. for annullment of the marriage is in such a point. To on the fall calendar for jury trial. treatles not ratified, by the senate of

"Was Not Deserted."

Justice Pendleton, who wrote the decision, finds that Mrs. Gambler was not deserted by her husband, within the meaning of the law, because the desertion was justifiable. Mrs. Gambier's effort at reconciliation the cour finds could not be accepted in good faith.

If at the time she is said to have sought a reconciliation she was con- while that is not entirely in the ducting herself with another man in keeping of the churches, the manner testified to by some wit- they may exert a powerful influence nesses, the court held that her efforts in the promotion of any effective incould only be received as intended strumentality to secure permanent for the purpose of litigation.

"It would be impossible to reconhusband or was willing to Honduras and Nicaragua. live with him." the decision reads.

several sensational features, that of peace as the confirmation of The court says, "This was scarcely greater importane of the treaties of in accord with the customary prop- arbitration in the long run and as afmarried woman." riety for

On the other hand, the decision spect of American interests, in respect Gambler "loved the plaintiff, of peace in this hemisphere, they states arried her with every intention of are not equal in importance to the doing his duty by her, and treated confirmation of these Central Amerhar with great consideration, kind- ioan treaties. The spossible if he had treated tral American conventions, the presi-

her with less consideration and had dent highly praised former President been more selfish it would have been Roosevelt. He spoke of the tendency better for her and beth of them," of the United States to extent the the decision continued, "as to the helping hand to less powerful peo-

(Continued on page seven)

### PRESIDENT WANTS PEOPLE TO AID IN PASSING TREATIES

Travels 400 Miles on Special Train to Appeal for Moral Support in Influencing the Senate to Ratify Arbitration

MOUNTAIN LAKE PARK, Md., | was evidenced also, he said, "by the Aug. 7.—President Taft traveled 400 wonderfully successful intervention miles through Maryland and West by Theodore Roosevelt as president Virginia today by specall train to ap- of the United States in securing peace peal to the people of the United States between Russia and Japan. to use their moral influency to have The president left Washington at the senate ratify the British and

French treaties and the treaties with Nicaragua and Honduras. , His ap-Nicaragua and Honduras, the Mountain run the special, He spent just an lake Park chautauqua of the Meth- hour in Mountain Lake Park, leav-NEW YORK, Aug. 7 .- Edith Rus- odist Episcopal church, but in it the

observe," said the president part: "I "that there is some suggestion that "I have been suprised to note with what favor the plain people of every according to a decision handed may in some way abdicate its funcnation welcome the proposal of uniersal arbitration . not because their real interest in the practical adop-Gambier's suit self unable to perceive the substance have these tion of the plan is not greater than all other classes in the community, the United tates or to have any hesibut because it is a somewhat abstruso

tation and discussion of a serious character in respect to them, would halt the movement toward general peace which has made substantial adrances in the last ten years. Appeal to Moral Sense

have to do most of the fighting, and "To secure the ratification of the they secure the least benefit and the treatles therefor, appeal must be made

least glory." to the moral sense of the nation and Treaties Defined

certainly The treatles the president proceeded to say provided that every question of a justifiable nature should be submitted to a tribunal of arbitration and that they define what justiflable means.

Thousands Hear Address

s o'clock with a car load of Balti-

more and Ohio officials along to help

ing for Washington at 3 o'clock. His

address was made to several thous-

and people. The president said in

cause, in the success of which they

might not be expected to take an im-

mediate interest. Of course in a way

it is the common people that have to

bear the most of the suffering. They

have to pay most of the taxes, they

on the principles of law and equity.

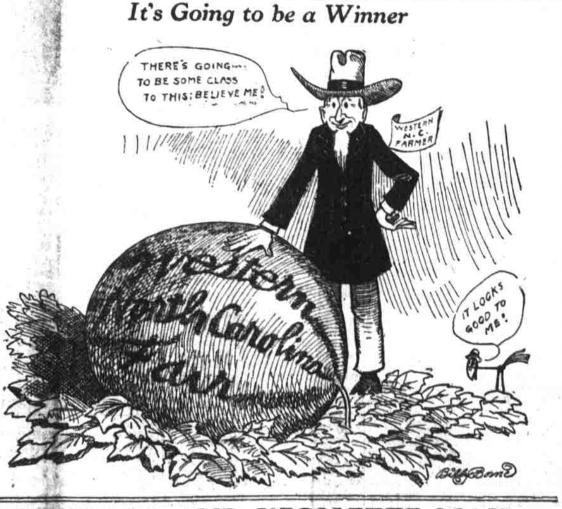
as those are understood in law and in international law," he said. "There are, of course, questions of policy Mrs. Gambler was often seen in the these Central American treatles," said with respect to which each nation company of "an unknown man." the president. "While I admit the must exercise its own discretion, and in doing so is entirely within its legal and equitable right, and however its fecting the world at large, yet in reaction may affect the other nation, it is not the proper subject of controversy. The machinery provided will practically dispose of every question so far as it is a war-inducing issue treaty may be called almost a treaty not noly to avoid war, but even to avoid arbitration for it is only in the last instance, after the commission shall have failed in a year's

time to suggest a satisfactory solution that even arbitration is to be reple and instance Mr. Roosevelt's inter-(Continued on Page Three) vention in Cuba. That tendency

ADMIRAL TOGO CONVEYS

PROFOUND GRATITUDE TO

PEOPLE OF I HIS NATION



### UNDERWOOD AND L'FOLLETTE MAY NOT BE ABLE TO REACH AN AGREEMENT

And It's Possible Adjournment Will Come Without Free List and Wool Tariff Bills Being Settled-Tie-up Due to Uncompromising Attitude of Senator LaFollette--Underwood Canvassing House

WASHINGTON, Aug. 7.—Senator but the progressive leader merely that they are acting from this motive. LaFoliette and Chairman Underwood, smiled in response to suggestions of Senator LaFoliette told some of his this character. He told Mr. Underwood of the house ways and means committee, who have undertaken to reconcile that the differences was with the differences between the senate party friends rather than with party friends rather than with himand the bouse on the wool and the farmer's free list bills for the full conself, and they sustained him in the

farmer's free list bills for the full con-ference committee are in a deadlock with the possibility of remaining eo and thus fording an adjournment of the session without final action on the session with the session without final action on the session with the session without final action on the session with the session with the session with the session with the session withe session withe session with the session wither t

The tie-up is due to the uncompromising position of Mr. LaFollette in opposition to the house bill. He has told Mr. Underwood that a reduction of rates below those fixed by the bill as it passed the secure is an impossi-bility, and in response Mr. Underwood, who had great difficulty in getting an agreement by the house to the rates fixed in his bill, has said that the house never will consent to accept the senate figures. Mr. LaFollette's contention is that the senate rates constitute a reduction of about three-fourts of the difference between the rates of the Payne-Aldrich law and those of

the house bill: that it is impossible to go lower and hold anything like all way of tariff.

his

some senators and representatives have suggested a movement for fina adjournment of the session regard-

lass of the conference and the senate is being sounded on that proposition. Most of the regular republicans are willing to agree to this, as are some of the democrats. Included in the latter list are those southern senators who would like to see the further consideration of the cotton bill postponed until next session. They would welcome any eigency that would carry cotton over.

The cotton bill is unquestionably playing a part in the conference. The of insurgent republicans and some the progressive republicans and that the democrats who strongly favor cot-it is better for the democrats to take ton legislation appreciate the imposa half loaf than get nothing in the sibility of holding a quorum of conof the royal prerogative by securing the guarantees before the last gen-eral election. Mr. Asquith easily disgress in Washington after final action on the wool bill. They take the post-Mr. Underwood did not accept the on the wool bill they take the post of the charge by showing that

nounce that the loan will be placed

in this country. I am quite sure

the negotiations will be consumated

within the next four or five months.

Senor Mendez declared that mil-

Hons of American capital have been

invested in Guatemala within the

past two years, new milroads are

being constructed, and through an

American syndicate the vast mineral

resources of the country are assured

PERTINENT FACTS BROUGHT OUT

WASHINGTON, Aug. 7 .- A second

sharp letter from Solicitor McCabe

to Chief Chemist Wiley, both of the

department of agriculture, for failure

to make wholesale prosecution of

"cure all" patent medicines and other

acts tending to show McCabe's grow-

ing control of the whole administra-

tion of the pure food law were

brought out at today's hearing of Mc-

Cabe before the house investigating

counsel that while McCabe was so

It was contended by

of early development.

committee.

Senator LaFollette told some of his senatorial associates on the coufercommittee today that the outlook for agreement was somewhat brighter. He said also that while the full confer-ence committee might be called together any day, a week might clapse before a meeting would be desired by the sub committee. Mr. Underwood tonight maid he "believed free list bill would be sent to the president."

### VOTE OF CENSURE REJECTED

LONDON, Aug. 7 .- A vote of cenre of the government for having ed from the king a pledge to reate, if necessary, sufficient poers to pass the veto bill, was rejected by the house of comons tonight by a majority of 119. The motion was introduced by Arthur J. Balfour, eader of the opposition and its defeat is regarded as having failed to improve the Unionists' cause.

The opposition charge against th government was that Premier Asquith had taken advantage of the king's inexperience to bring about an abu

## IMPROPER CONDUCT IS CHARGED AGAINST AGENT OF BOOK CO.

Text Book Commission Issues Statement Making Some **Rather Grave Charges** 

LARGE PUBLISHING

HOUSES INVOLVED

Agent Claimed He Could Bring Influences Toward Having **Books Adopted** 

RALEIGH, N. C., Aug. 7 .- The state text book ommission and sub-ommission completed at midnight their investigation of the sensational charges that have been' circulating hereabouts the past fow days in-volving alleged improper conduct - t the part of certain book men and others as to the impending text but adoption and issued the following

statement that covers the situation: Commissioners' Findings From the testimony taken, the joint commission, by unanimous vota, find the following fasts:

1. That during the last days June, one W. C. Warfield, an agent of the World Book company, a, proached W. E. Gooch, agent of the McMillan company, and represented to him that he. Warfield, held the key to the situation in North Carolina, that he had a friend in the depar-ment of the superintedent of public instruction, to with Wa A I Beauted Instruction, to wit, Mr. A. J. Bars and through his friend he could h such influence to bear on the commission as would insure the a commission as would insure the adop-tion of certain books published in the McMillan company, that the wor-and influence of himself and friend would be well worth \$1,500.00 and that he would undertake to recurse the adoption of the books named for the amount, and if he did not success, is would make no charge. 3. That about the same time, the said Warfield made a similar prop-sition to Mr. F. H. Perry, represent ing Rand, MNally and Co., though is had told Gooch that no such aroos elition was being made to any dot al-elition to the same to any dot al-elition to the made to any dot al-elition to the made to any dot al-elition to the made to any dots al-

that both Gooch and Perry decline to enter into the arrangement an Perry caused the matter to be reported to the chairman of the

### Wouldnt nam

3. On his evamination as a wit-ness, Mr., Warfield stated that Mn. Barwick was not the friend where in



Healy Accused = Hanecy of

Trying to Confuse Rec-

ord and Its Readers

BLOWS YESTERDAY

Leaving the arbitration behind the cile such conditions with a relief president asked for the same sort of "It is any issue between the na-that she entertained a feeling of love popular support of the treatles with tions that can be properly settled up-"There is no issue before the sen-It was testified at the trial, which ate so acute in respect to the cause

GET FAIRLY STARTED THIS WEEK

peace."

Still Plenty of Room for Hustlers-Enter Your Today or Help Some Contestant

CITIZEN'S BIG \$5.640 CONTEST WILL

Win

Did you read the list published subscriptions count at this time and Sunday of the candidates who have see that you get it.

entered the Citizen's \$5.640 Prize Subscription Contest? It shows the in-

Easy to Get Help Now During this period it will be par-

too. No one, ad yet, has any consider-

Should your father, mother, broth-

ers, sisters or friends belong to any

votes and assistance of that organiza-

Do not let a day pass without se-

curing some subscriptions and votes.

The steady, persistent worker is what

Continued on page three)

tense interest which the collection of ticularly easy for you to gain. They sprizes offered has made on those liv- cannot easily put you off with the ing in Asheville and surrounding ter- unsatisfactory promise to "help later ritory. When you think of the prize on." They must give to you now, list does not a spark of real enthu- while the subscription will win you siasm kindle within you? Do you not so many votes. Few will be inclined feel as you consider one after another to delay when you say to them, "My that the only trouble is to make up dear frien, I want your subscription, your mind which of all the prizes and I want it now, for later on, with offered would please you best? the best will in the world, you canthe best will in the world, you can-

Naturally you would prefer to win not do as much for me as you can the \$1870 Chaimers touring car, and during htis special "Big Vote Offer." while it is well to enter the campaign | Contestants Should be Wide Awake with the certainty that your chance, This offer will arouse every candiof doing it is just as good as any- date to vigirous effort. Up to this time one's you should not for a minute they knew the contest was young, just think of it as the only one worth going through the preliminary stages while in the contest. With 21 awards necessary to place it firmly on its see how many chances you have of be-fect. New it is strong, and all ready ing richly rewarded even should you to run. If you want to keep up fail of first place. with it, you must quicken your pace,

#### **Opportunity** Great

Many enter a contest, but few stick able start, but soon your rivals will to it with sufficient zeal to amount get busy and you cannot afford to be to anything. Watch the gains made inactive. Start fair new, and then Watch the gains made inactive. Start fair new, and then from time to time by the different see to it that no one gains any advantage over you. candidates. Just at first many will

How to Enter. show an advancement, but little little the contestants will be weeded Send in your nomination. You will you can easily count the find the nomination blank on another Send in your nomination. You will number of active candidates-those page, which counts for 1,000 votes. with whom you will have to reckon in Only the first nomination blank can your efforts to secure one of the most be used by candidates.

valuable prizes. You get votes and subscriptions You may just as well make your anywhere from either district. preparations to win at once. Votes will be given on all paid sub-An

early start will give you the advan- scriptions. tage of a day, two days, a week, as the case may be. At the close of ment of The Citizen for a receipt the contest you are going to find book. The contest manager will be every minutes valuable. While there glad to explain anything you do not are plenty of minutes to use it is understand. Telephone or write to well for you to begin work. You will him, if you cannot call, and a repreknow that you have accomplished sentative will give you full details. Don's farget that children can do all that was possible and will not overlook some subreantial support in most effective work in collecting cou-your hurry at the tast. pons as well as securing many paidin-advance subscriptions.

Harvest Days Now

It is confidently expected that the next two weeks will witness an un- organization, get them to secure the usual activity among candidates. The votes wise ones will take the utmost ad-tion. vantage of this high rate of votes which prevails until August 23. After this date the rate of votes will diminish until the close of the con- will make the winner of a valuable test. Go and see all of your friends and tell them how much more their



### SPOKE IN JAPANESE

WASHINGTON, Aug .7.- A brief speech, the first he has made since his stay in this country, was made by Admiral Count Togo before the National Press club of Washington tonight. The admiral spoke in Japanese, his remarks being interpreted by Lieut. Commander Taniguchi, his naval aid. He said:

"Since my arrival in this country the president of this great republic has received me with the greatest honor and hospitality, your government has extended to me innumerable courtasies, and your felow citi zens have given me the most hearty welcome. All these, I dare say, are more than I am entitled to, and I take them as meant toward my august sovereign and for his subjects. Nothing pleases me more than to take home the most happy remembrances of my visit to the United States

"Gentlemen, may I ask to take this opportunity to convey to your countrymen, on behalf of myself, my feeling of profound gratitude and high appreciation of my welcome."

#### AT NAVAL ACADEMY.

ANNAPOLIS, Md., Aug. 7.-Ad-miral Count Togo today inspected the grounds and buildings of the Unit-

thon tour for his program made possible only a hasty walk and the most casual observation. In three hours, however, he saw the entire group of buildings and declared the place where future naval officers of the United States are trained to be a most complete and comprehensive institution. The sparty lunched at the house of Superintendent John H. Gibbons. The latter offered a toast to the emperor of Japan and Admiral Togo responded, with one to the president of the United States. In broken English, but intelligibly, the admiral tensted the Japanese graduates of the United States naval scademy, who are now serving in the Japanese fleet and who the ad-miral hoped "would strengthen the link of friendship between the Unit-

od States and Japan."

ing This Section CHICAGO, Aug. 7 .- Prof. J. Cor. weather forecaster here, returned to- proposed loan of \$80,000,000 which Carolina fruit belt. He brought word under consideration for more than road refused to take a curve near Carolina fruit belt. He brought word under consideration for moth Ameri-of a new scheme promutgated by the a year is to be placed with Ameri-production of a new scheme promutgated by the stream is to be placed with Ameri-

Gathering Data Regard

North Carolina mountain slopes. The next few months. This positive an-plan includes telling prospective set tlers how they can make a living nouncement was made by Senor there and supplying them with a Mendez, the newly appointed Guatesystem of weather forecasts. The main purpose of the survey who arrived here today en route to

ing stations to warn fruit growers the United States, said Senor Menof the mountainous section of the der. "It is a great pleasure to anperiodic frosts which occur in those regions.

There are wonderful agricultural possibilities in North Carolina, said Prof. Cox. In many sections in which conditions are almost ideal for fruit raising, there has been little or no development."

Professor Cox said the lazy type ed States naval academy here. His of the Carolina mountainers are bevisit was in the nature of a mara- ing replaced by energetie fruit growers.



WASHINGTON, Aug. 7 .- Porscast North Carolins, unsettled Tuesday, probably local showers, Wednesday, generally fair, moderate east winds, winds, he had power to invoke the law winds, he had power to invoke the law essing these drug interests, variable,



AMERICAN BANKERS WILL MONSTER ENGINE TURNS

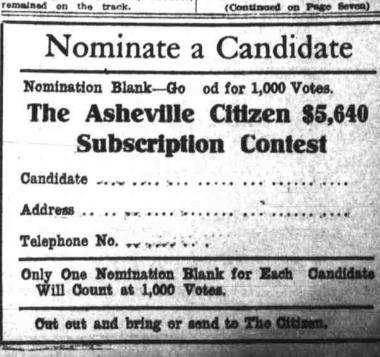
to Take Curve and Rolled Down Embankment CHARLOTTE, N. C., Aug. 7 .--- A NEW ORLEANS, Aug. 7 .--- The monster two-hundred ton engine on day of a long cross examination of H. day from a survey of the North the Guatemalan government has had the Carolina, Clinchfield & Ohio rail- J. C. Beckemyer, former state repre-

speech the debate on the Unionista

weather bureau to help settle the can bankers probably within the and before the engineer could work the reverse throttle the engine had turned over and down an embankment into the river. Engineer John McCarthy, formerly of Lynchburg, Va., was pinned undorneath and malan minister to the United States died instantly. Fireman Able. who was hurled into the stream and

made by Profesor Cox, who was assisted by W. M. Hutt, state horti-culturist, was to designate altes is authorized to say that Guatamala for the location of weather forcast-will place this loan with bankers in The big locomotion en rib, sprained foot and painful islature. The big locomotive was pulling eight freight cars, which, however,

"If the gentleman means what he (Continued on Page Seven)



BECKTMEYER UP WASHINGTON, Aug. 7 .-- What promised for a few moments to be a

personal shoounter between Attorney Elbridge's Hencoy, representing Sen-ator Lofimer and Attorney John J. Healy, of counsel for the senate Lorisentative, who claims he received \$1,-000 after voting for Lorimer for sen-

ator. The clash between course doe curred when Mr. Healy accused Mr. Hanecy with having "the very pur-pose of confusing the record and those who will read it." He was speaking of Mr. Hancoy's questions regarding testimony Beckemyer gave Saturday con-cerning his statement two years ago to officials in Cook county that he knew nothing of interest to the grand jury relating to corruption in the lag-