

The Asheville Gazette News.

BOTH ARMIES DESPERATELY TRYING TO EXECUTE TURNING MOVEMENTS

FRENCH CLAIM THEY ADVANCED

Official Statement Says Allies Have Made Progress in Some Places Along Battle Front.

GERMANS REPULSED EVERYWHERE, CLAIM

Violent Encounters in Region of Craonne—Nothing New in Lorraine and the Vosges Mountains.

Paris, Sept. 21.—The following announcement was given out in Paris by the official bureau today:

"First, on our right, along the river Oise, we have advanced as far as the heights of Lasigny west of Noyon. To the east of the Oise and to the north of the river Aisne, the Germans have given evidence of a recrudescence of activity.

"In the region of Craonne, there have been violent encounters which did not stop short of bayonet charges. The enemy has been everywhere repulsed with considerable losses. In the country around Rheims the enemy has not undertaken any infantry attack, confining himself to artillery fire directed against our front from heavy guns.

"Second, in the center, in the Champagne country we have taken Meuzil-Les-Hurlins in Lorraine. In the Woerthe district the enemy still holds the region of Thiercourt and bombarded Hammachatel. On our right wing in Lorraine and the Vosges, there is nothing new. The Germans are fortifying themselves in the vicinity of Delmeit, to the south of Chau-Salines.

"Russian Statement.
New York, Sept. 21.—Colonel Golubewsky, military attaché of the Russian embassy at Washington today made public this dispatch received today:

"The Austrian rear guard at Ruzerzo was driven back with heavy losses. Our artillery is bombarding Jaroslau.

"Fighting with the garrison of Przemyśl has begun; the artillery of the fortress has opened fire.

"In passing through the woods our troops find batteries of guns abandoned by the enemy."

REPUBLICAN FILIBUSTER IN SENATE CONTINUES

Senator Burton Prepared to Camp in Chamber—Sen. Simmons Determined.

Washington, Sept. 21.—The republican filibuster against the rivers and harbors bill was resumed today in the senate with both sides expecting a "finish fight." After a conference with officials, Senator Simmons announced the body would stay in session continuously until the bill was acted upon. He expects a vote tomorrow night or Wednesday. The announcement of Senator Burton was that he had entered the capitol this morning prepared to camp there. "I brought with me a dress suit case," said the senator, "and am prepared to stay right here until my strength gives out. I have picked out a soft couch which will be useful when reinforcements relieve me."

He told the senate he would be satisfied with a lump appropriation of \$20,000,000 to be expended by the war department.

NOTHING DEFINITE IN EFFORT TOWARD PEACE

Washington, Sept. 21.—President Wilson said today he was prayerful by working for peace in Europe, but nothing of a definite or formal character had yet been done. He told callers that publication of stories that he would call a world conference to discuss peace seriously interfered with his work.

The president declared that a world's crisis, only serious remedies should be discussed.

SAYS GERMANS DO NOT WANT PEACE

Official Organ Says Statements Create Impression That Germany Is Tiring.

Berlin, Sept. 21.—(Via London).—Commenting on a report that Count von Bernstorff, German ambassador to the United States, said his government was looking for peace in case the German boundaries would be preserved, the North German Gazette, official organ, says in its issue of September 20 that Germany is not looking for peace.

"The statements are made," says the paper, "to create the impression that we are tired of war, in spite of our victories in the east and west. The consideration of peace may not be brought up until the war, ruthlessly thrust upon us, is brought to a close."

Berlin heard last night of the bombardment of Rheims. An official dispatch says it is in the battle line of the French and the Germans were forced to shell it. It was to be regretted, says the statement, but unavoidable.

The statement also made this reference to progress on other points of the line:

"The attacks of the French are progressing at several points along the Vosges. At Donnon along the Senones, several miles southeast of Lunville and near Saales, in the German Vosges, their offensive has been repulsed. There is no news from the eastern (Russian) front camp."

COURT REFUSED TO MOVE CASE

Judge E. B. Cline Entered an Important Order Saturday Afternoon.

In an order filed in the office of the clerk of Superior court Saturday afternoon, Judge E. B. Cline refused to remove the case of Sam H. Cathey against the Virginia-Carolina Railroad company and others, to the United States district court. The case was argued several weeks ago before Judge Cline by Jones & Williams, attorneys for the plaintiff, who fought the removal of the case and Merrimon, Adams & Adams, attorneys for the Virginia-Carolina Railroad company and others and Martin, Rollins & Wright, attorneys for the North-western and Southern Railroad company, these defendants asking that the case be removed.

The plaintiff brought suit several months ago against the defendants for the sum of \$75,000 alleging that while in their employ in Asheville last December, he suffered the loss of his sight by reason of a premature explosion of dynamite.

The case now will be put on the calendar of the civil court and will be heard in due course of time.

HALL RHODES IS STILL AMONG MISSING

All efforts of the county officials to locate and capture Hall Rhodes, who last night is alleged to have shot J. W. Ducker, in the front yard of the latter's home, near Arden, have failed, although the officers are continuing their search for him. Several of the officers spent the entire night in the country around Arden looking for Rhodes, but no traces of him could be found.

Ducker, who is 44 years of age and recently was employed by a clothing store on Biltmore avenue as a collector, was shot three times last night about 9:30 o'clock in the front yard to his home, by Rhodes, who escaped. The wounded man was brought to this city and operated on at the Meriwether hospital, where it was stated today he is resting as easy as could be expected. One of the bullets entered the right side of the abdomen, another the left thigh and the third penetrated the right shoulder. None of the bullets entered any vital organs and none is dangerous except the one in the right shoulder.

It was stated that Rhodes and Ducker had had words on several occasions and that Ducker had warned Rhodes to stay away from his home. Last night when Ducker returned home, according to the reports, he found Rhodes and Ben Lambert standing in front of the house talking to his wife and upon his approach Rhodes starting firing at Ducker, five shots in all being fired, three of which took effect in Ducker.

ATTACKS IMPEDED BY BAD WEATHER

The Right Wings of German and Allied Armies Are Sustaining Repeated And Strenuous Assaults.

FIGHTING FIERCEST ON LEFT OF ALLIES

Rumors Persist That Germans Plan General Retreat—Russians Are Checked In Galicia.

London, Sept. 21.—While the fortunes of battle fluctuate along the center of the extended front in France desperate efforts are being made to execute turning movements on both flanks. The Anglo-French left wing is exerting every ounce of strength to turn the flank of the German general, von Kluck, who is reported as receiving heavy reinforcements, while the German left, according to a cautiously worded announcement in Berlin, is making equally strenuous efforts to outflank the French right, resting on Verdun.

Under ordinary weather conditions the Anglo-French task would be the easier for the reason that Verdun, heavily fortified, must fall before the French right can be seriously threatened, but on the German right the heavy rains have made such a morass of the valley of the Oise that the allies are hardly likely to move along what would be their natural course until the German front north of Soissons has been driven back. The high ground between Noyon and Chauny has been heavily fortified by General von Kluck, and it dominates the whole valley of the Oise.

Chose Positions. That the Germans chose their present defensive position deliberately is indicated by the fact that their heavy artillery rests on cement foundations which must have taken some time to construct.

Some reports received in London declare that the reason of the desperate German counter attacks on Rheims is found in a movement by the allies which has virtually isolated Rheims from Laon, a town 30 miles to the northwest. If this is true all of General von Kluck's marvelous strategy in protecting his sorely pressed right flank will have proved futile.

General Retreat? More or less definite rumors continue to circulate in London to the effect that the Germans are preparing for a general retreat from France on their own border fortifications. The latest of these is a story repeated by a French officer who has re-

turned to France. This Frenchman declared that an aeroplane reconnaissance has given rise to a conviction that a large part of the German forces is retreating accompanied by trains of heavy stores and leaving only 200,000 men to cover the retreat.

One reason for the dearth of news from the battle front is to be found in the bad weather which has rendered ordinary signalling and aeroplane scouting unreliable. Stories now filtering through set forth that the Germans made a desperate effort the middle of last week to recapture the ground they had lost along the river Aisne. Day and night the assaults continued. The Germans played into action by bands rendering martial airs, hurled bodies of men on the hastily constructed trenches where the enemy had dug them as a protection against the pitiless artillery concealed along the heights. The charges ended in the allies holding their desperate won positions.

Ruins of Cathedral. Rheims, where the ruins of the famous cathedral are still smoking, is still proving an object of controversy long after the armies in the field have ceased to contend for the city. The Germans contend that the building was in the line of fire and that it was impossible to save it in spite of their instructions to save the building.

As anticipated a check has been given to the operations of the victorious Russians in Galicia by the fortress of Przemyśl, which has opened fire with artillery on the Russian invaders.

According to advices received here, the advance of the Serb-Montenegrin forces into Austria continues. The Montenegrins are reported within a few miles of Sarajevo, the capital of Bosnia, and a combined Serb-Montenegrin army expects to enter that city within a week.

England took renewed hope at the report that the bulk of the German army had begun to retreat from France but waited today in vain for confirmation. British reports say the allies are gaining ground,

WAR NEWS IN BRIEF.

There is no victory yet for either side in the battle of the Aisne which has now raged in France for ten days. Both sides claim successes and favorable positions.

The ten days of desperate battle, fierce artillery fire day and night; infantry charges in which the fighting has been hand to hand, and cavalry onslaughts when opportunity offered, have shown one result—the soldiers of the three nations engaged are becoming exhausted. The human machine is weakening in the frightful demands made upon it. Lulls in the battle are ascribed simply to utter fatigue.

Another factor which has had a notable effect on the conduct of the operations, has been the weather. An incessant cold rain has flooded the valley of the Aisne. The valley has overflowed its banks and roads and fields and trenches are filled with water. Men are drenched to the skin day and night, and French soldiers coming to Paris are encrusted with mud. Worn out men are succumbing to the hardships of fighting and living in the open under such weather conditions. Transportation of all kinds for both sides is rendered much more difficult. It is even said the Germans can no longer move their heavy artillery with effective promptness on account of heavy roads. The men are camping in water, and the French say the Germans are suffering from lack of food.

While neither side claims a decisive outcome there appears to be good reason to believe the battle is drawing to some definite developments.

Military opinion both in London and in Paris leads to the conviction that the present lines, battered for ten days soon will have to show noticeable changes. The fighting is fiercest on the allies' left, where desperate efforts are being made to turn the flank of the German army under General von Kluck. Von Kluck has been reinforced, but in spite of this the French late official reports claim an advantage, though it is admitted to be slight. The Germans appear to be making desperate and persistent efforts to turn the right wing of the allies, resting on Verdun. The help of this fortified position is of advantage to the French.

On the center, the fortunes of war fluctuate. The positions now held by the Germans were well selected and well fortified. Some of their heavy artillery is described as resting on cement foundations. A news dispatch received in London from France says an aeroplane reconnaissance has given rise to the conviction that a large portion of the German forces is retreating in the direction of fortified positions on the German border.

The French government reports the allies' battleship fleets control the sea since the beginning of the war.

Przemysl, the strongly fortified Austrian position, between Lemberg and Cracow, in Galicia, is engaging the enemy. It is resisting the invading Russians with artillery fire. It is said that a strong army is at Przemyśl. Berlin says there is no news from the Russian front. The floating of the German war loan is described as a brilliant success. An official afternoon statement from Paris says the Germans are drawing back slightly.

but apparently it is snail like. For days the British press have referred to "von Kluck's peril," but so far the German has referred to "von Kluck's must have been terrific pressure from the British and French left."

There has been no intima-

(Continued on page 11)

SUPERIOR COURT HAS CONVENED

Judge Cline Delivers Address to Grand Jury—Lee Howell Foreman.

Judge E. B. Cline of Hickory, presiding over the term of Superior court which convened here today for the trial of criminal cases, delivered one of the most able and brilliant charges to the grand jury, heard here in some-time, the charge lasting one hour. Immediately upon the court being convened the grand jury was drawn and Lee Howell made foreman.

In his charge Judge Cline touched on local conditions here when he referred to the large number of cases now on the docket and said that there were entirely too many appeals to Superior court from the Police court and the different magistrates' courts of the county. He said that Buncombe county had a larger criminal docket than any county in the state and that something ought to be done to find out why these appeals were taken in such large numbers. He referred to Wake county as having about the same population as Buncombe and that a term of criminal court for a week there could dispose of a docket while here it took two solid weeks of hard work and then the dockets were not cleared.

He said that if defendants appealed little cases to Superior court with the exception that the jurors would take into consideration and lay too much stress on reasonable doubt, he hoped they would be disappointed and know that they certainly would be if they expected him to set aside sentences or cut down fines they thought were too heavy.

Judge Cline said that according to newspaper reports, and he believed that they were true, there was a large amount of improper conduct going on in one or more of the magistrate's offices of this city. He said he did not understand it, nor knew where the blame should be put, but that if he did know he would let the public know it. Such actions upon the part of officials does not help to advance the administration of the law, the court stated. He said that where officers of the law did wrong the press ought to criticize them and when they did right they ought to be commended.

Owing to the fact that there will now be eight solid weeks of court for Buncombe county, a term of three weeks for civil cases following this term, then two of civil and one of criminal, he laid down several rules, by which the court would operate.

According to these rules, court will convene at 9:30 o'clock each morning, adjourn at 1 and resume business at 2:30 and adjourn for the day at 5:30 o'clock and Judge Cline said that this did not mean that cases would be heard after this, for they would not. The court also stated that he expected Solicitor Reynolds to announce when he started one case, what case would be taken up next. Then he said that he would not allow the members of the bar to ask a witness the same question more than twice, nor would he permit personal tilts between members of the bar, during the progress of the trials.

The members of the grand jury selected today are as follows:

Lee Howell, foreman; D. A. Shope, E. F. Dillingham, S. H. Merrill, M. C. Sheppard, M. L. Maney, John H. Holcombe, James M. Padgett, L. G. Duckett, W. A. Watkins, George W. Lloyd, H. C. Hawkins, H. K. Hall, W. D. Robertson, W. H. Haynes, E. L. Horton, W. S. Martin and J. B. Young.

J. B. Edwards of Barnardsville was appointed as officer in charge of the grand jury.

SECRETARY W. J. BRYAN RIDES ABOUT THE CITY

Secretary of State William Jennings Bryan who is spending a brief vacation in Asheville as a guest of F. L. Seely at the Grove Park Inn was in the city this morning riding with Mr. Seely in the automobile of the latter. A number on the streets recognized the secretary and they waved at him. Mr. Bryan is spending his vacation very quietly as advised to do before leaving Washington. He is spending much of his time in the open-air and appears to be thoroughly enjoying his rest in the Land of the Sky. The secretary of state and Mrs. Bryan will probably remain in Asheville, at the Inn, until Wednesday unless urgent affairs of state should call him back sooner.

In Eruption Again.

Redding, Cal., Sept. 21.—After a night of muttering and rumbling, Lassen peak exploded today in a sharp thunderclap which rocked the houses at Macomber flat, nine miles away.

PROTESTS MADE BY THE FRENCH

Foreign Office Denounces the Destruction of Cathedral at Rheims to Neutral Nations.

CORRESPONDENT TELLS OF RUIN OF THE PILE

Now Empty Shell of Blackened and Charred Walls—Fire Caught From German Shells.

Bordeaux, Sept. 21.—The French foreign office has forwarded to neutral governments this protest against the German bombardment of the cathedral of Rheims:

"Without being able to invoke even the appearance of military necessity, and for the mere pleasure of destruction, the German troops have subjected the cathedral of Rheims to a systematic and furious bombardment. At this hour the famous basilica is but a heap of ruins.

"It is the duty of the government of the republic to denounce in universal indignation this revolting act of vandalism which, in giving over to the flames this sanctuary of history, deprives humanity of an incomparable portion of its historic patrimony."

The Rheims correspondent of the Daily Mail sends this story of the damage wrought in the cathedral there:

"The magnificent cathedral of Rheims which was an initial monument to universal fame, is now no more than an empty shell of charred and blackened walls. It is not known to what extent its stonework is weakened or whether it can be restored, but it will never be what it was before. The fire started between 4 and 5 o'clock Sunday afternoon, after shells had been crashing into town all day. Over 400 fell between early morning and sunset. A quarter of the city several miles square were set afire, the flames spreading from street to street. The cathedral on Thursday has been turned into a hospital by German wounded so as to secure for it the protection of the Red Cross flag. When the first shell struck the roof everyone believed it was merely a stray shot but later in the day a German battery on a hill four miles away began making the great Gothic pile its particular target.

"Shell after shell crashed its way through the masonry, and stonework that had withstood the storms of centuries, or fell into the deserted streets roundabout. At half past four some scaffolding around on the east end of the cathedral, where repairs were going on, caught fire and soon the whole network of poles and planks was ablaze. Then the roof of old oak timbers caught fire and soon their ceilings were a roaring furnace.

"The blazing pieces of carved woodwork crashed to the floor where piles of straw had been gathered in connection with the work of field hospital. As soon as this caught fire the altar, the chairs and other furniture were devoured.

"The German wounded would have been burned alive if the French doctors had not removed them at a great personal risk. There was a bad moment while these Germans were being removed. A crowd had gathered outside to watch the flames, and when the Germans, some in uniform, were brought from the transport door, the crowd gave a howl of uncontrollable rage and earnest voices screamed, 'kill them.' Some of the soldiers in the crowd actually levelled their rifles to dispatch the Germans, when a little priest, the Abbe Andrieux, sprang between the Germans and the rifles.

"Don't fire," he said, "you will make yourselves as guilty as they are."

"The crowd calmed somewhat and the Germans were carried into the shelter of the museum amid hoots."

VIRGINIA TO DECIDE WET AND DRY ISSUE

Richmond, Va., Sept. 21.—Virginia, after a long and bitter contest, decides tomorrow the "wet" and "dry" issue. The anti-saloon league today officially claimed the state for state-wide prohibition by 40,000 majority. The local self-government league also issued a statement claiming 20,000 majority for the present local option law. A record vote is expected.