

The Asheville Gazette News.

WEATHER FORECAST: FAIR; FREEZING TONIGHT.

VOLUME XX. NO. 15.

ASHEVILLE, N. C., MONDAY AFTERNOON, MARCH 1, 1915.

PRICE FIVE CENTS

TURKS STIRRED BY FORTS' FALL

Flags of England and France Flying Over Outer Dardanelles Forts—Turks Prepared to Move.

NORTH POLAND CENTER OF INTEREST IN EAST

Russians Trying to Regain Ground Won by Von Hindenburg—Engagements in Bukovina Region.

London, March 1.—Flags of Great Britain and France were flying today at the entrance of the Dardanelles over the Turkish forts which were reduced by the sea forces of the allies. While it would appear that the allied fleet has reached Chanak, 15 miles south of the Mediterranean entrance of the strait, the British press warns the public to expect the immediate fall of Constantinople.

Nevertheless the operations of the British and French warships against the sea defenses of the Turkish capital have created a tremendous stir in the Near-East. Broussa, in Asiatic Turkey, has been selected by the Turkish government as the temporary capital in case it becomes necessary to evacuate Constantinople. It is declared that the Germans in Turkey had advised that the government be removed to Adrianople, in European Turkey.

In the fighting on the eastern battle front interest for the moment has been deflected from the Carpathians to North Poland, where the Russians apparently are making desperate efforts to regain the ground which Field Marshal Von Hindenburg won when he threw them back from East Prussia. The stubborn struggle continues on the line from the Bóbr river to the Narew, where Grand Duke Nicholas has yet to establish his ascendancy.

Vienna reports violent engagements in Bukovina without saying anything about the outcome, while Petrograd claims to have checked the Austro-German forces in this province.

In the west interest is still centered in the Champagne district, where fierce attacks and counter attacks have marked the operations of the last week.

Investing Stanislaus. Paris, March 1.—The Bucharest Haavas' correspondent repeats the report that the Russians have re-occupied Kolomea, Galicja, and are investing Stanislaus. Kolomea was taken after a desperate fight, on Wednesday, February 26, the correspondent says.

Funeral of Chief Freedland.

Special to The Gazette-News. Durham, March 1.—With the honors of the Masonic order, and followed by an escort of police and firemen, and the members of the Durham Light Infantry, of which he was the first captain, the late Chief of Police John Fletcher Freedland was laid to rest in Maplewood cemetery yesterday afternoon.

Thousands of people watched the great procession that followed the body of the dead chief to the cemetery, and hundreds of others filled every available inch of space in Trinity Methodist church from which the funeral services were conducted.

Sheriff Found Dead.

Special to The Gazette-News. Greensboro, March 1.—John W. Cook, former sheriff of Guilford county and one of its best-known citizens, was found dead yesterday morning in the bath room at his home at 1630 Spring Garden street. Heart trouble, for which he had been taking treatment for some time, was the cause of his death.

SENATE DEFEATS CHILD LABOR BILL

Lost by a Vote of 29 to 8—House Passes Bynum Divorce Bill.

Raleigh, March 1.—The Weaver child labor law was lost in the senate Saturday afternoon by 29 to 8 and with it went every hope of legislation of this character at the present sitting of the general assembly.

Over in the house a divorce bill went through by the thrilling vote of 44 to 43. On this measure Thursday night the house voted 49 to 38. Preachers came on the floor and warned against the loosening of the marital tie. It must have done good in bringing five to support the bill and driving about five to support the bill and driving about five to cover. No converts were apparently made.

The eye and no roll on this vote gave the biggest excitement of the season. To those keeping tab it appeared certain that the anti-divorce people had won. Before the vote was announced Mr. Hampton, of Currituck, asked to be recorded in favor of the Bynum bill which is not regarded a loose divorce act. It changed the eyes from 43 to 44, and the noes from 44 to 43.

U. S. CLAIMS 5000 ACRES OF CLAY COUNTY LAND

Judge Merrimon and Marshall Bell of Murphy Appear in Case at Washington.

A dispatch from Washington today says that Judge James H. Merrimon of Asheville and Marshall Bell of Murphy are in the national capital to argue the case of the United States against the Hiwassee Lumber company, appearing for the defendants, while Ernest Knaebel and S. W. Williams represent the government.

This is an action in ejectment, brought by the United States in the western district of North Carolina, to try the title to a tract of land containing 5,000 acres in Clay county.

The land was granted by the state of North Carolina to E. B. Olmstead in 1857, and the latter caused it to be deeded to the United States in 1869, in satisfaction of a claim he owned the government. The deeds under which the government claims to own the land were regularly executed and acknowledged in the District of Columbia and in the state of Pennsylvania before commissioners authorized to act for the state of North Carolina, and were actually spread upon the records in Clay county soon afterwards.

Both the district court and the circuit court of appeals decided that the registration of the government deeds was invalid and the United States carried the case to the Supreme court. The land is worth about \$40,000 or \$50,000 and the principal question involved is the construction of the North Carolina registration laws.

ADJOURNED SESSIONS OF THE DISTRICT COURT

The United States District court convenes here this morning, although Judge James E. Boyd of Greensboro will not arrive until Wednesday, and court will be adjourned from day to day until Thursday. Jurors who were summoned to be present in court this morning were notified about a week ago by Clerk Hyams of these adjourned sessions, and will receive further notice as to when they should appear.

ASSEMBLY MAY QUIT ON TIME

However, Four of the Biggest State-wide Measures Have Yet to Be Disposed of by the House.

AN ALMOST EQUAL NUMBER IN SENATE

Solicitors of State Are Making Strong Fight for Increased Fees—Rumor of Retaliation by Mill Men.

(By W. T. Bost). Raleigh, March 1.—In the belief that the general assembly will complete its work within the constitutional limit and adjourn Saturday, March 6, the smallest number of representatives who live near or remote went to their homes Saturday.

This circumstance is about the sole evidence of so early an adjournment as four of the biggest state-wide measures must yet come through the house and an almost equal number go through the senate. The primary, the machinery act, the increased solicitors' fees and the child labor legislation must be debated on the floor of the lower house before adjournment is possible.

And the senate must talk liquor yet another day, pass the machinery bill, settle the divorce measure passed Friday by the house and take up also the solicitor's appeal. A fifth measure likely to be offered is another divorce bill putting men and women on the same moral standard, and if the land segregation act gets properly on the calendar it may make the sixth. But the four mentioned have gone through one house and must get through both to become effective.

The solicitors have been in Raleigh making their appeal known to committee. They have been invited here. What they are now asking is that the scale of \$4, \$5, \$10 and \$20 fees be changed from those figures to \$8, \$15 and \$25. The present fees are \$4 for misdemeanors, \$5 for the smaller felonies, \$10 for forgery and perjury, and \$20 for capital felonies. But if the defendant is convicted of less than a capital felony the solicitor receives \$10.

Under the proposed change the solicitors would receive \$5 for misdemeanors, \$8 for the lesser felonies, \$15 for perjury and forgery and \$25 for the capital offenses. The prosecuting officers would wish also that no reduction of fees be made in which defendants are convicted of less than the capital offense.

Nearly every solicitor in North Carolina has been here the past ten days and talked with the general assembly members. They bring strong arguments with them. In the first place this is to be no increase in the state's appropriation. It does not pay a cent. In a large percentage of the convictions the fees will come as a part of the bill of costs and in others the prisoners work the roads and the counties get the benefit of that labor.

Several of the cotton mill men who are members of both houses were asked if they could let the origin of the story that an amendment to the Weaver anti-child labor bill was ready for introduction had the bill stood any show at all.

The amendment seems to have been designed to get back at the newspapers which have been roasting the mill men. This act would have stopped the newspaper carrier boys who rise, rubbing eyes, early in the morning, the delivery boys in telegraph offices and the farming youngsters who are in the fields when day breaks.

No mill man had any knowledge of the proposed act, but visitors here said such a bill will go in the house today if any more is said on child labor.

WILLIAMS REPRESENTS SOLICITOR IN MADISON

Solicitor J. Ed. Swain left the city yesterday afternoon for Raleigh on a business trip that will probably keep him in the capital city all of this week. The criminal term of Madison county court convenes this morning at Marshall, and the solicitor has made arrangements with Robert R. Williams for the latter to represent the state at this session of Superior court. There is a good sized docket ready for trial, several cases being of unusual interest.

COMMISSION MANAGERS ANSWER JUDGE MURPHY

Letter by Judge J. D. Murphy Is Considered in Very Lengthy Reply.

This morning the campaign managers in charge of the contest for the adoption of the proposed amendments to the city charter gave out the following statement in answer to Judge J. D. Murphy's letter in the Sunday Citizen in regard to the powers and duties of the proposed commissioners: "In his letter in the Sunday Citizen Judge Murphy takes bold to declare, in referring to the powers and the duties of the commissioners under the proposed charter: 'I venture to say that no such sweeping unlimited powers as these above mentioned are vested in any city officers on this earth—not even in Russia.' This is indeed a very sweeping statement and by its very implications forces upon the advocates of commission government the necessity of asking Judge Murphy to show his hand.

"In order that the author of this broadside assertion may cut the garment of his statement to suit the cloth of the evidence we respectfully submit that these same powers are now exercised by the 'city officers' of Asheville. The board of aldermen at the present times does exercise almost unlimited power to levy taxes through its properly constituted officers. The board of aldermen at the present time does exercise almost unlimited power to spend the money of the people. The present board has already authorized a bond issue of \$50,000 to cover floating indebtedness created last year. With becoming respect to the present aldermen, we ask Judge Murphy whether the people were taken into confidence about the issuing of bonds which they must meet. The board of aldermen exercises directly or indirectly unlimited power to assess the property of the people for street, and sidewalk improvements, or other such assessments."

"The powers which Judge Murphy enumerates are now exercised by the 'city officers' of Asheville. Consequently, the crux of his objection seems to lie in the reduction of these responsible 'city officers' from nine to three. He ignores the fact that under the present system there are no patent checks upon any abuse of these great powers, while under commission government the officers can be controlled by the people through the exercise of the privileges of the initiative, the referendum and the recall. The true essence of democracy lies not in the number of the governing officials but in the ability of the people to control these officials. The people of Asheville, furthermore, are responsible to elect these competent men than they are to elect nine; the conspicuous positions that the commissioners will occupy will enable the voters to select a fewer number of men with more discrimination.

"Judge Murphy is apparently laboring under the delusion that the distribution of powers under the proposed charter is radically different from such division to be found in other commission charters. In the fundamentals, the new charter provides for the same centralization of powers that is to be found in the some 250 commission charters under which eight million 'free American citizens' now live. In fact, the division of powers provided for in the proposed bill is the stereotyped one for cities of the same population and problems as Asheville's, and the section which Judge Murphy quoted is to be found practically verbatim in many charters, notably that of Greensboro.

"That clause which Judge Murphy quotes was taken from the section which gives the commissioners the power to provide rules and regulations for the management and conduct of all hospitals and sanitariums which may have for treatment any patient afflicted with any infectious, contagious or other communicable disease. Is there anything strange in the power of the 'city officers' to provide penalties for any violations of such rules and regulations? Isn't such power exercised at the present time. Shouldn't the governing body have the right to take legal steps to safeguard any regulations that it may prescribe for the preservation of public health?"

"The judge is too extreme in his statements; he is 'too extreme.'"

SHUFORD LEADS FIGHT AGAINST COMMISSION

Both Sides Hold Meetings Saturday to Consider Campaign Strategy.

The executive committee that is conducting the campaign against the proposed commission form of government for Asheville, Saturday afternoon, named W. E. Shuford as campaign manager, with W. H. Daniel as secretary to the manager, and elected S. Frank Chapman to succeed Mr. Shuford as chairman of the executive committee. Although the campaign headquarters have not yet been selected, the managers are not wasting any time in beginning the fight by which they expect to defeat the measure at the coming city election. Following the instructions given him at the mass meeting Friday night, the chairman appointed six additional men to act on the executive committee. The complete list of that committee follows: W. E. Shuford, R. L. Mull, John A. Campbell, D. S. Elias, P. W. Thomas, Zeb, F. Curtis, J. Scroop Ryles, S. D. Waldrop, H. A. Miller, W. M. Jones, M. D. Long and M. H. Kelly.

As announced in these columns Saturday afternoon, the advocates of the proposed municipal changes are now located in a suite of offices the Electrical building. Saturday night representatives from all the precincts met at headquarters with the executive committee and the managers. T. J. Harkins and Marcus Erwin. Reports were made on work accomplished since organization was begun, and plans were discussed and adopted for winning the fight at the polls.

30 People Reported Killed. Galveston, March 1.—Dispatches to the Mexican consulate here state that an explosion on the Mexican gunboat Progresso resulted in the death of 30 people, including five women. The explosion is said to have occurred yesterday morning while the gunboat was at Progreso. It was said what was purported to be a barrel of rice brought on board as cargo, was in reality a bomb which had been prepared by the enemies of Carranza. The consular here has cabled for more information. He is inclined to doubt the report of the explosion.

STEGLER'S WIFE WRITES WILSON

Wife of German Reservist, Accused of Fraudulently Securing Passports, Appeals to President.

ASKS FOR STEGLER'S RELEASE; NO SUPPORT

Says Her Husband Told Truth—Alleged Letter of Boy-Ed Scoring Mrs. Stegler Made Public.

New York, March 1.—Mrs. Richard P. Stegler, arrested today in a hotel on a charge of felonious assault made by Arthur Matejek, a reporter on a German newspaper, was discharged later from the Police court. Had certain evidence been more definite, the magistrate stated, he would have been inclined to send her accuser to the workhouse.

New York, March 1.—A young woman, who according to the police gave her name as Mrs. Annie Stegler, and described by them as the wife of Richard P. Stegler, a prisoner in the Tombs in connection with the alleged passport fraud, was arrested early today on a charge of felonious assault, made by Arthur Matejek.

Washington, March 1.—President Wilson has received a letter from Mrs. Richard P. Stegler, wife of the German reservist, who was arrested in New York for fraudulently obtaining an American passport, in which she declares that her husband was led into the project by Captain Boy-Ed, German naval attaché at Washington. Mrs. Stegler asks that her husband be set free. Her letter was referred to the department of justice, which has charge of the investigations of the Stegler case.

Mrs. Stegler wrote President Wilson that Captain Boy-Ed had promised her \$150 per month for her support while Stegler was abroad and that she was to be given \$150 per month for life, in case her husband lost his life. Mrs. Stegler declared that she had no money and did not know how she was to get support unless her husband was released.

When secret service officials came to see her husband, the letter stated, he told them the truth because he wanted everything concerning the affair known. Her husband could have burned the passport, Mrs. Stegler wrote and thus have saved himself from accusation but insisted he told everything.

Charles H. Griffiths, attorney for Stegler, has announced that he would deliver to the federal authorities an anonymous typewritten letter received by Mrs. Stegler, which would be compared with letters alleged to have been written to Stegler by Captain K. Boy-Ed, naval attaché of the German embassy at Washington. Stegler, according to Mr. Griffiths, has told the federal authorities that Captain Boy-Ed wanted him to go to England as a spy.

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BRIETUNG WILL DEMAND RIGHTS

LARGE GATHERING PAYS TRIBUTE TO MR. WOOTEN

Placed to Rest at Home at Kinston.

Kinston, N. C., March 1.—Buried under a wealth of floral tributes, the casket containing all that is mortal of the late Speaker Emmett R. Wooten was borne to the local cemetery yesterday, and placed in the family burying ground. A majority of the members of both houses of the legislature attended the funeral, coming from Raleigh on the afternoon train. The services were brief but impressive, and audible expressions of grief were heard during the short sermon. The body was accompanied to the grave by practically all the legislators, in addition to a guard of honor from the North Carolina National guard, under personal command of General Lawrence W. Young. The funeral was probably the largest ever held in Kinston, practically every one in town attending to show, by their presence, their respect and grief. Mr. Wooten was one of the most popular men in Kinston, and his death is sincerely mourned here.

HEARN'S STORE ENTERED AGAIN SATURDAY NIGHT

Robber Scared Away Before He Was Able to Take Any Goods.

Another attempted robbery occurred Saturday night when an entrance was forced into the basement of the J. M. Hearn and company store on Government street and an effort made to get away with a bicycle and numerous appliances for it. When the store was visited by one of the members of the firm yesterday morning, drops of blood were found over the floor and upon investigation, the bicycle and appliances were discovered in the basement by forcing open a grating in the rear, used for passing coal into the basement. The robber had evidently made his way to the upper floor and taken his time in selecting one of the best bicycles in stock and had selected nearly every attachment that it is possible to equip a wheel with. The intruder had then taken the bicycle and the other articles, which he had in a basket, down to the basement and had tried to get them through the hole by which he had gained entrance. He evidently found that he could not pass the wheel out through the small hole and became frightened and fled from the scene of his operations. The robber had evidently injured himself in gaining his entrance to the place for the room was smattered with blood. The police are working on the case but no arrests have been made as yet.

WILLIE JOHNSON HELD ON MURDER CHARGES

Hazel Campbell Shot by Johnson Saturday Died Yesterday at Hospital.

Willie Johnson, colored, who shot Hazel Campbell, another negro boy, Saturday at noon, at the stable of W. B. Brown on South Lexington avenue, the latter having died at the Mission hospital yesterday morning, was arraigned in Police court today on charges of murder, and the case continued until tomorrow morning.

Dr. E. R. Morris, county coroner, held an inquest yesterday over the body of the Campbell boy; and the verdict returned by the jury was to the effect that the deceased came to his death at the hands of the Johnson boy. A commitment was issued for Johnson. He is still held at the city jail, pending the outcome of the preliminary hearing in his case tomorrow.

BLACK MOUNTAIN LADY PASSED AWAY TODAY

A report reached this city this morning of the death of the wife of Lieutenant Wilson of Black Mountain. No details were learned as to the cause of her death. The funeral arrangements and place of interment will be announced later.

Owner of Dacia, Seized by French Cruiser, Expects American Government to Protect Him.

U. S. TO AWAIT FRENCH PRIZE COURT RULING

Protest Will Be Entered if Validity of Transfer of Registry Is Not Recognized by the Prize Court.

Brest, France, March 1.—The American steamer Dacia, which was seized last week by a French cruiser and brought to this port, has been towed from the roadstead to the Brest naval harbor.

Brietung's Statement. New York, March 1.—Official notification of the seizure of the American steamer Dacia, formerly of the Hamburg-American line, by a French cruiser had not been received this morning by Edward N. Brietung, owner of the vessel.

In a statement issued today, Mr. Brietung says: "I know that the government, if necessary, will ask for reparation due any American citizen acting within his rights. I know of no correct statement of international law that can be invoked against the Dacia and I propose to demand my rights.

"The American government would not have granted the Dacia the right to fly the stars and stripes if it had not meant that the flag as carried by the vessel would be recognized and respected by every foreign power.

"The Dacia is as much an American vessel as the American laws can make her, and I expect her to sail once more for our shores flying the American flag. I am not interested in her cargo.

"The Dacia is insured in England by private parties. I recently purchased an English vessel, and I am now in the market for two more. I do not care whether they are French or German."

In French Prize Court. Washington, March 1.—Seizure of the American steamer Dacia formerly a Hamburg-American liner, by a French cruiser, which took the vessel to Brest, places the entire question of the validity of a transfer of flags after the outbreak of hostilities before the prize courts of France for adjudication.

Whereas the practice of England, American officials have contended, conforms pretty much to the doctrine of the United States, the claim has been set up that France has a traditional and unalterable opposition to any changes of registry, whatsoever, during war.

State department officials and senators who have argued the point in congress have pointed out, however, that while this doctrine has been proclaimed by France since the time of Louis XVI, the practice of the French admiralty has been different and that in many cases France actually has acquiesced in the right of a vessel to change its registry after the outbreak of hostilities.

The United States will make no move until the French prize courts render a decision. If the validity of the transfer is not recognized a protest will be entered.

N. C. LIBRARY ASSOCIATION TO MEET IN RALEIGH

The annual meeting of the North Carolina Library association will be held in Raleigh, April 1 and 2. The first session to be held on Thursday afternoon, April 1. Miss Mary H. Palmer, of the Carnegie library, Raleigh, is secretary of the association and Miss Annis F. Petty, of the State Normal college, is president. The delegates will be entertained in private homes.

One of the features of the meeting will be an address by Mrs. Edna Lyman Scott, a noted professional story-teller and lecturer on literature for children, who will speak first on Thursday evening, April 1.