

# The Asheville Gazette News.

WEATHER FORECAST: FAIR.

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ASHEVILLE, N. C., MONDAY AFTERNOON, MARCH 15, 1915.

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## MYSTERY AS TO GERMAN MOVES

British Observers Believe, However, Latest Advance Must Result in Decisive Conflict.

### GERMAN SUCCESS IN AUGUSTOWO FOREST

Russians Initiating Advance Toward Plock—Reports Conflicting as to Battles in the Carpathians.

London, March 15.—Mystery envelopes the progress of Field Marshal Von Hindenburg's latest advance into North Poland but British observers believe that the vast forces stretching from the Niemen to the Vistula cannot much longer be kept from decisive contact. From meagre information received from the east there are indications of German success in the forest of Augustowo. But further to the south in the Mlawa region the Russians are initiating an advance toward Plock.

In the Carpathians the desperate Russian counter attacks against the aggressive Austrians have resulted in success, Petrograd claims. Vienna, however, reports the failure of the Russian counter attacks and the taking of many Russian prisoners.

Paris declares the British successes at Neuvo Chapelle were more substantial than was at first reported; that the French are securing themselves in new trenches in Champagne; and that aerial bombardments of Westende were effective.

## BANK AND HOSPITAL PLANNED FOR ANDREWS

Cherokee Chemical Company Has Also Asked for Charter—Capital \$125,000.

Andrews, March 15.—The Andrews Sun says: The movement for a new national bank of \$25,000 capital for Andrews has met with such encouragement from our manufacturers and business men, that application has already been made to the comptroller of the currency at Washington for incorporation papers.

The heavy increase in our factory output and the building of two new railroads into Clay and Graham counties and the consequent large increase of the amount of money put into circulation in this section, almost insure the success of the new bank under proper management.

The new national bank banking laws have given national banks many advantages over state banks which they did not possess, hence it has been decided to make the new institution a national bank.

Application has been filed with the secretary of state for a charter for the Cherokee Chemical company by J. D. Howard and his associates, with an authorized capital stock of \$125,000.

The new company has acquired a valuable mine of decomposed silica which will be the basis of a number of their products, such as insecticides and various polishing preparations.

A factory will be erected at Andrews, equipped with modern machinery for grinding, mixing and preparing the various specialties which this company will manufacture, some of which are already well known on the market.

## SUPERIOR COURT CONVENED TODAY

Grand Jury Selected and Judge James L. Webb Delivered His Charge.

The selection of a grand jury and the charge of Judge James L. Webb to the jurors featured the morning session of Superior court for the trial of criminal cases, which convened here at 10 o'clock, with a docket containing a few less than 150 cases, three of which are for murder.

The following men were selected as members of the grand jury: W. E. Brooks, foreman, Jack Riddle, E. B. Moore, C. W. Peek, J. W. Johnson, J. R. Hyatt, W. H. Pinkerton, E. W. Queen, W. E. Reed, R. D. Alexander, W. H. Clark, J. K. Robinson, W. R. Patton, J. E. Spain, W. L. Cash, J. F. McKinney, S. R. Morgan and G. W. McDaniel.

G. T. Anderson of Sandy Mush township was sworn in as the officer to be in charge of grand jury. The charge delivered by Judge James L. Webb, was long, consuming nearly an hour and one-half, during which he reviewed the criminal law of North Carolina, in such a plain straightforward manner, as to make the meaning of it understood by everyone who heard him. He did not touch on the local situation here, except in a general way, confining most of his remarks to explaining the meaning of the law and the punishment of various crimes in this state.

Owing to the fact that there are three murder cases, one of criminal assault, one of arson and two of highway robbery on the present docket, the court took special pains to explain to the jurors the meaning of the law governing such cases.

Now that springtime is almost here, it should be remembered, the court stated, that it is unlawful for a man to burn off a sage field or burn over ground, unless he first gives his neighbors at least five days notice of the fact. Judge Webb stated that he was notified that the average farmer did not know of this law.

The court touched on the new anti-jug law, passed by the last legislature, which allows a person only one-half gallon of whiskey and five gallons of beer a month, which goes into effect April 1.

**Cigarette Smoking.** "I believe that there are hundreds, perhaps thousands, of boys in North Carolina today who are killing themselves smoking cigarettes," said Judge Webb, in speaking of the law which prohibits the sale of cigarettes to minors. Judge Webb said the law against minors smoking cigarettes must be enforced and he called upon the county officers and patrolmen of Asheville to enforce the law.

"I realize that the cigarette law is a hard one to enforce, but with the officers keeping a sharp lookout I believe great good to the boys of the city can be done," the court said.

He called upon the jurors to inspect each of the convict camps, and to see that the men serving them here receive humane treatment at the hands of the guards.

## THAW MOTION IS BEFORE N. Y. COURT

Thaw's Attorneys Seek to Have Him Removed to New Hampshire.

New York, March 15.—Argument on the motion that Harry K. Thaw be sent back to the jurisdiction of New Hampshire begins today before the Supreme court. Frank Cook, deputy attorney general said that he considered the motion to return Thaw to New Hampshire as a strategic move rather than serious. It kept Thaw in the custody of the trial court until his lawyers were prepared to apply for a writ of habeas corpus, he said.

It is reported that Thaw has demanded that his counsel seek to have him sent to Matteawan instead of having him removed to New Hampshire. He hopes to have the question of his sanity tried by jury. Mr. Cook stated that if the issue as to Thaw's mental condition came to trial he expected to include Evelyn Thaw among the state's witnesses.

New York, March 12.—The White Star liner Arctic, flying the British flag reached New York from Liverpool today. She had on board 527 passengers and 524 sacks of mail, said to have been the largest consignment of mail ever sent to New York from Liverpool.

## ROAD COMMISSION MEMBERS CHOSEN

Appointments Made in Accordance With Recently Enacted Law's Provisions.

(By W. T. Bost.) Raleigh, March 15.—Gov. Craig's appointments on the state highway commission have been announced by him, and the work of making this new institution effective will begin at once. This was one of the hardest fought measures of the late general assembly, and Messrs. Bowie and Doughton, the two big standstills, saved the day for the progressives.

The original proposal of Colonel Cameron was for \$30,000. With this next egg he believed he could gather \$650,000 of the government's money. That brought about the greatest opposition. Vann, of Union, the pragmatist, wanted the \$650,000 which he thought a first rate dividend on \$30,000, but he wanted to get the \$650,000 promised before he threw away \$20,000. On this appeal Vann broke into Colonel Cameron's plans so effectively that just half the house was with him. Bowie broke up Vann's scheme with his vote against him.

Then the appropriation was cut to \$10,000. The act establishing the highway commission provided that the governor appoint on the said commission a citizen from the eastern part of the state, one from the central portion and one from the western portion. It further provided that one of the three appointees should be a republican. In accordance with the said provisions of the act the governor appointed on the commission:

E. C. Duncan, of Carteret county. Col. Benehan Cameron, of Durham county. Guy V. Roberts, of Madison county. The act also provided that he designate a professor of the university of North Carolina and a professor of the A. and M. college as members of the said commission. Under the provisions of the act the governor designated Prof. Marvin Hendrix Stacy, of the University of North Carolina, and Prof. W. C. Riddick, of the College of A. and M. Arts, Raleigh.

The act further provides that the state geologist, Dr. Joseph Hyde Pratt, shall be a member of the commission, and that the governor shall be a member. The commission, as constituted by the act of the legislature, and by appointment of the governor is composed of the governor, Dr. Joseph Hyde Pratt, Prof. M. H. Stacy, Prof. W. C. Riddick, E. C. Duncan, Col. Benehan Cameron, Guy V. Roberts.

**Young Thinks Well of Legislation.** James E. Young, insurance commissioner of North Carolina, thinks well of the work done by the late general assembly as it affects his department and enumerates the benefits.

## PORT AUTHORITIES ARE WAITING ON WASHINGTON

Detention of Two American Sailors by German Commander, Taken up at Capital.

Newport News, Va., March 15.—Port authorities here are awaiting instructions from Washington regarding representations to be made to Commander Thierichens, of the German converted cruiser Prinz Eitel Friedrich, concerning the detention of Charles Frank and Robert Rogge, members of the crew of the American sailing ship William P. Frye, sunk in the South Atlantic January 28, by the German commerce destroyer.

Sworn statements that one of these men is being detained against his will have been made to the collector of customs by other members of the Frye's crew and the question is whether the German commander has a right to take men from an American ship and hold them for service in the German navy even if they are Germans and subject to such military service. The treasury department has referred the subject to the secretary of state.

Commander Thierichens still delays reply to Collector Hamilton's twice repeated request for formal notification of the time he wishes for repairs to his vessel. He has estimated that probably three weeks will be required but has made no specific request for time. The naval board of survey will resume its examination of the cruiser today to see what repairs are necessary to make her seaworthy.

## HENRY H. SESSIONS, AGED 68 RAILROAD INVENTOR DEAD

Chicago, March 15.—Henry H. Sessions, inventor of the vestibule and anti-telescope device used on most railroad cars, an air brake for street cars and several other devices to be used on railroads died here today. He was born in 1847.

## YUCATAN STATE INDEPENDENT?

Capt. Ryan of Ward Line Tug Confirms Report That Mexican State Asserted Independence.

WANTS UNITED STATES TO RECOGNIZE ACTION

Or Establish Sort of Protectorate—Capt. Ryan Tells of Sinking of Mexican Gunboat Progreso.

New York, March 15.—Captain W. J. Ryan and nine members of the Ward line tug Auxillar which had been doing lighterage work for several weeks at Progreso, Mexico, arrived here today and brought eyewitness stories of the sinking of the Mexican gunboat Progreso February 28. Captain Ryan said that the gunboat was blown up by what the officers of the Progreso thought was a barrel of butter just brought aboard.

Captain Ryan stated that when he heard the report of the explosion he rushed to the scene of the accident and succeeded in saving some of the crew. The explosion blew a hole in the bottom of the boat, killed 20 men and injured about the same number.

The Morro Castle of the Ward line took aboard some of the survivors and set sail. The Auxillar was commandeered by the authorities of Yucatan and chased to the Morro Castle, which refused to stop and the Auxillar returned to port. The Morro Castle was flying the American flag.

Captain Ryan confirmed the report that Yucatan had asserted its independence of the present government of Mexico. He said that the state of Yucatan had about 40,000 men under arms to maintain its independence.

Some influential residents of Yucatan, who traveled to Havana March 2, said there was a movement on foot to request the United States to recognize the independence of Yucatan. Another plan was to have the United States establish a sort of protectorate over the state similar to that over Porto Rico if such did not interfere with Yucatan's sovereignty.

When the Auxillar reached Havana the Carranza consul called on the ship's officers and lowered the Mexican flag it was flying. Although not ordered to leave Havana, Captain Ryan thought it best to do so. The Auxillar is now at Havana.

## 13 SHIPS SUNK BY GERMAN CRUISER

Kron Prinz Wilhelm Has Long Record of Destroyed Ships, Say French.

Rio Janeiro, March 15.—The German auxiliary cruiser Kron Prinz Wilhelm, which had on board 500 German sailors, has sunk 13 vessels since she began her raids on commerce, according to passengers and crew of the French steamer Guadalupe, who were taken to Pernambuco by the British steamer Churchill. The Guadalupe was sent to the bottom by the Kron Prinz Wilhelm off the eastern extremity of Brazil.

## BRITISH ORDER MADE PUBLIC

London, March 15.—The British order in council decreeing retaliatory measures on the part of the government to meet the declaration made by Germany that the waters surrounding the United Kingdom were military area was made public today.

## REVERSES DISTRICT COURT IN CASH REGISTER CASE

Cincinnati, March 15.—The United States circuit court of appeals has reversed the district court which found John H. Parterson and 26 other officials of the National Cash Register company guilty of violation of the Sherman law. The case was sent back to the district court for new trial.

## BEACHY DIDN'T LOSE CONTROL

Death of Daring Aviator Due to Structural Defects in Monoplane, Aeronautical Experts Believe.

HAD PREMONITION OF DEATH, IT IS THOUGHT

Did Not Seem Pleased With Monoplane But Was Determined Not to Disappoint 50,000 People.

San Francisco, March 15.—Structural defects in his aeroplane and not his inability to control the machine are believed by local aeronauts to have been responsible for the death of Lincoln Beachy yesterday while he was flying over the Panama-Pacific exposition grounds. He fell into San Francisco bay and was drowned.

The wings of the monoplane crumpled under pressure of banking, after Beachy had dropped perpendicularly for 2000 feet. In previous flights Beachy had used biplanes and his expression was grave as he took his seat, according to his mechanic, as though he had a premonition of trouble, but he was determined to please the 50,000 people who had gathered to see him fly.

The mother of Beachy, who lives here, collapsed when she heard of his death. His fiancée, Miss Ethel Shumaker, was not told of the tragedy until today. She had believed he was only injured.

Beachy had stated several days ago that if he ever fell he would head his machine for the sea so as not to fall on the crowd and he kept his word, falling into the water about 50 yards from the shore. His body was found by a sailor from the battleship Oregon, who dived twice before he located it.

Beachy was completing his second flight of the day when the accident occurred. Having previously electrified the thousands of spectators with a series of somersaults the airman sought to add an additional thrill with one of his sensational perpendicular drops.

Lincoln Beachy was regarded as the most skillful and daring American aviator. He earned this reputation long before the French flyers began to glide through the air upside down. Beachy was in retirement when these feats were heralded and was drawn back by his desire to exceed the remarkable flying of the French.

With an aeroplane of small wing surface he flew upside down, made spirals while head downward and looped the loop. Beachy was born in San Francisco in September, 1887 and made his first flight in 1905 at Oakland, Cal., piloting a dirigible balloon. In 1906 he circled the capital at Washington. He soared over New York City in July 1907. His motor failed and the wind whirled the dirigible across the river, wrecking it.

Beachy made some flights at Asheville a few years ago, before he had gained his reputation as the most daring aviator in America.

## C. M. JUSTICE ACTING INTERNAL REVENUE AGT.

The many friends in this city of Clarence M. Justice, formerly employed in the office of the internal revenue agent at this city, before that office was transferred from Asheville will be pleased to know that he is acting agent at the Greensboro office. Several weeks ago T. H. Vandertord, the Greensboro agent was transferred to Richmond and Col. Chapman, the Richmond agent, was transferred to Greensboro but Col. Chapman was ill and has since been confined to his home and Mr. Justice has been acting agent.

## FUNERAL OF MRS. N. C. MORGAN HELD TODAY

The funeral services of Mrs. Nancy C. Morgan, aged 76 years, who died at the home of her daughter, Mrs. J. E. Davis, 80 Penland street, Saturday night, were held at the Morgan Hill Baptist church this afternoon and interment followed at the church cemetery. The deceased was one of the most active members of the Morgan Hill church and was highly esteemed by a large circle of friends, all of whom will hear with the deepest regret of her death. Surviving Mrs. Morgan is one daughter, Mrs. T. E. Davis.

## CAMPAGNERS ARE CONFIDENT

Managers on Each Side Claim Victory in the Commission Government Election Tomorrow.

Tomorrow morning at 8 o'clock the judges and registrars appointed will formally open the second election in the history of Asheville on the question of adopting a commission form of government. At 6 o'clock in the evening, the battle will be over and the tabulation of the results will begin. The weather bureau promises a fair day for the contest and the managers on each side predict that a large vote will be cast. However, some voters in the ranks express the opinion that the number of ballots counted tomorrow night will be comparatively small. At the campaign headquarters of both supporters and opponents of the proposed municipal changes, predictions of victory were also made this morning; while on the other hand a great many men have been heard to express the opinion that tomorrow's contest will be very closely contested. These men argue that a large number of citizens have not yet made up their minds on this question, and that such voters will be open for conviction to the most persuasive arguments made tomorrow at the polls. The preliminaries for the actual trial of strength are about over. Onaturday the registrars met at the polling places to record challenges, but very few were made. Challenges may be made tomorrow at the voting places in each precinct, and the judges of the election will hear arguments and decide the right of suffrage in each case, according to the laws provided for holding city elections. Some speculation exists as to the effect of City Attorney Bernard's ruling on the question of poll tax receipts, which will have the number of challenges that will be made. Manager T. J. Harkins stated this morning that the supporters of the proposed charter will not make challenges against those failing to exhibit poll tax receipts. At the headquarters of the opposition, Manager W. E. Shuford said that he and his colleagues considered that the city attorney's ruling is wrong; but that the opposition leaders had not yet decided as to whether they would challenge votes on this ground or not.

The friends of commission government announce a final rally in the county court house tonight. Judge Henry B. Stevens will preside, and there will be a number of speakers on the program. A large and enthusiastic gathering is expected tonight, according to statements made by the leaders this morning. Those opposed to the new charter for Asheville announced that there will be no public meeting tonight of their followers.

The ballots will be distributed this afternoon. Bearing in large letters the words "for" and "against" it should be easy for every voter who can read to select the ballot which represents his convictions. So far as can be determined from conversation heard on the streets, the election will pass into history without any unusual excitement, and without leaving any bitter feelings behind it. Rival managers were to be seen on Patton avenue this morning exchanging jokes with each other over what each proposed doing to the other at the polls tomorrow. It is evident that hard work will be the order of the day by workers on each side. And those who start to the polls without having made up their minds which way to vote, will have no difficulty in securing advice and counsel on this question.

## VITAGRAPH PLAYERS WORKING AT BAT CAVE

Sixteen Vitagraph players, under the direction of Thomas Ince, arrived Thursday at Emerald Inn, and are engaged in the production there of "The Goddess," an elaborate feature picture. Earle Williams and Annette Stewart are the stars in the cast and the picture promises to be one of the most spectacular ever produced in western North Carolina.

The Bat Cave section is popular among producers of moving pictures on account of its picturesque scenery. The Vitagraph company sends a company to Bat Cave every year. It is probable that upon the completion of "The Goddess" the company will produce other pictures before leaving Bat Cave.

## U. S. DREADNAUGHTS WILL WITHSTAND TORPEDOE SHOCK

Washington, March 15.—Tentative plans for the two great dreadnaughts recently authorized by congress, provide for a second tier of compartments inside the hull to keep out torpedoes. It is said that even if a torpedo should penetrate the hull, it would explode in the outer compartments and that the vessel would not sink.

## PROGRESO PORT IS AGAIN OPEN

General Carranza Abandons Blockade Following Urgent Representations Made By United States.

GUNBOAT ZARAGOSA HAS BEEN CALLED OFF

Two American Vessels Clear Port—Conditions in Mexico City Are Reported as Improving.

Washington, March 15.—General Carranza has abandoned the blockade of the port of Progreso on the urgent representations of the United States. The Mexican gunboat Zaragosa has been called off. Two American ships loaded with relief supplies for the United States cleared the port Saturday without interference. While conditions in Mexico City had improved with the food and water supply replenished and the capital placed in order by the Villa-Zapata government, situations fraught with difficulties for the United States government had arisen at Progreso, the east coast port, and at Manzanillo, on the Pacific.

The American consul at Manzanillo reported a condition of anarchy there. Foreigners were apprehensive, he declares, and the food supply is decreasing, while Villa-Zapata troops are investing the towns approaching. Admiral Howard, commanding the Pacific fleet was reported ready to take foreigners away if conditions do not improve.

Progreso, the port from which virtually all the steel hump used for American binding twine is shipped, had been ordered closed to foreign commerce by General Carranza. The United States cruiser Des Moines was at Progreso under orders to see that there is no interference with American commerce.

Officials felt relieved over the encouraging reports from Mexico City. The Brazilian minister telegraphed the following to the state department: "I am glad to hear that the convention government, resumed charge again. I have placed before him the full facts in the McManus case and he promises everything will be done immediately to cause punishment of the guilty parties and arrange to pay suitable indemnity to the family."

It is expected that with the return of General Palafox, the convention which had been removed to Cuernavaca, Zapata's capital, when Mexico City was evacuated, soon would be reconvened in the latter place and that Roscoe Gonzalez Garza, temporary executive of the convention, would be in charge of the government.

With conditions better in Mexico City, President Wilson has been giving his personal attention to the situation at Progreso as he has been informed that the entire wheat crop of the United States might be seriously affected by the inability of farmers to get harvesting twine.

## FIRE DESTROYS LUMBER AT GRAHAM CO. PLANT

J. W. English & Co. Lose 500,000 Feet of Lumber in Mysterious Fire.

J. M. English, of the Pisgah Lumber company in this city, was called to Yellow Creek, Graham county, yesterday by a message saying that about a half million feet of rough lumber at that place belonging to J. M. English and company, was destroyed by fire at an early hour Sunday morning. The fire was discovered shortly after midnight, and the men living near the saw mill succeeded in checking the flames before they reached the mill; the message stated also that, in addition to the mill, about a half million feet of lumber was saved. The loss amounts to practically \$20,000, part of which is covered by insurance.

The fire is thought to have been of incendiary origin, as the mill has not been in operation for several months, and the tracks of the Southern railway are eight miles from the lumber that was burned.

J. M. English and company bought this property from George H. Christian in February, 1913. It is a large boundary of hardwood, and large scale operations were carried on until within the last few months, when it was decided to suspend operations until lumber market conditions should improve. There was about a million feet of lumber in stock when the mill closed down.