

AUSTRIA LOSES 18,000 ONE DAY

Advance Column Annihilated
in Less Than Hour in the
Lyutta Valley and Ber-
rig Province Battles.

DUKLA PASS BATTLE IN FULL SWING AGAIN

Desperate Fighting Elsewhere
in Mountains—Allied Fleet
Resumes the Bombard-
ment of Villages.

Geneva, (By way of Paris)
March 31.—Austrian losses in
the Lyutta valley and the prov-
ince of Berrig (northeast Hun-
gary) on the day of March 28
are estimated to have been 18-
000, according to dispatches to
Swiss newspapers. An advance
column of 4000 Austrians was
annihilated in less than an
hour.

London, March 31.—The battles
in the Carpathians now rival the
bombardment of the Dardanelles in
political possibilities. It is generally
realized that the Russian efforts are
of vital importance politically and
that the supreme command of the
Teutonic allies is justified in exerting
every effort to check the invaders
there. The sudden and dramatic in-
flux of Muscovites into Hungary
might, it is argued, stir up the Bal-
kans to quick action.

Petrograd officials warn the Rus-
sians not to expect an early capitu-
lation of Constantinople, but there
are no signs that the allied fleet has
given up the attack, as the warships
are reported to be shelling the out-
er defenses of the Dardanelles. The
Russian assault in the Bosphorus has
been interrupted by a thick fog.

In the west the Germans are re-
ported to have given up the plan of
breaking through the allied line near
the coast along the Yser and are
making new efforts along the fort-
ified Franco-German border by the
bombardment of Verdun.

The continued bombardment of
Nieuport indicates, however, that the
Germans are opposing the extension
of the allied line on the Belgian
coast.

Internally England is still concern-
ed over the labor and drink situa-
tion. The Liverpool dock workers
show no indication of having reced-
ed from their demands.

Commercial bodies are forwarding
offers to back up the government in
any drastic action against drink it
may take.

Battle Renewed.

Vienna, March 31.—The cessation
of the fighting in the Duka pass last-
ed only 24 hours, according to news-
paper reports, the Russians then
bringing up reinforcements.

The fighting in the valleys of On-
dava and Lahorez has recommenced
and is now in full swing. The Aus-
trians are fighting desperately and
the Russians, it is reported, in spite
of severe attacks with large forces,
were not able to gain their objective
at any point for their invasion of
Hungary. The fighting in the Car-
pathians is going on during a heavy
rain.

The battle in Bukovina yesterday
is reported to have resulted in favor
of the Austrians.

German Fleet Active.

London, March 31.—Reuter's Libau
correspondent says that as a result
of two bombardments of Libau by
the German fleet three persons were
killed and seven wounded, and 15
houses damaged. Telegraph wires
were also wrecked and the steamer
Dietrich in port there sustained dam-
ages.

Resumes Bombardment.

London, March 31.—Reuter's has
received a dispatch from Constantin-
ople by way of Berlin which says
that the allied fleet has resumed the
bombardment of villages near the
outer forts of the Dardanelles.

Turkish aviators make daily recon-
naissance.

BRITISH STEAMER SUNK BY GERMAN SUBMARINE

London, March 31.—The Ellerman
line steamer Flaminia with a general
cargo from Glasgow to Cape Town,
was sunk off Bally Isle March 29
presumably by a German submarine.
The members of the crew were saved.

The Flaminia was a British steam-
er of 2,215 net tons, shipping records
last located the vessel at London,
March 2.

COMMISSION FOR MITCHELL NAMED

Governor Craig Appoints T.
E. Blackstock, of Asheville;
Others From Yancey.

Raleigh, March 31.—Governor Locke
Craig today appointed the Mount
Mitchell commission, which has keep-
ing of the mountain summit which the
governor saved from devastation and
for which the legislature appropriated
\$20,000 after a long fight.

The commission is composed of T.
Edgar Blackstock, Asheville; G. P.
Deyton, Green Mountain, Yancey
county; E. F. Watson, Burnsville; M.
C. Hunslett, Burnsville, and Wilson
Hensley, Ball Creek, Yancey county.

Representative Deyton of Yancey and
Gallatin Roberts of Buncombe were
responsible for the appropriation for
the commission. Governor Craig urges
the commission to immediate organi-
zation.

BEELMAN KING ASSERTS THAT HE IS NOT A HERO

Geneva, Switzerland, March 31.—
(Via Paris).—"I am not a hero; you
will find them in our trenches," said
Albert, king of the Belgians, at his
field headquarters in an interview with
a correspondent of the Journal de
Geneve.

"I affirm that before the war I and
my country observed scrupulously all
the requirements of neutrality that the
powers prescribed for us with a pre-
cision of the specifications in an en-
gineering contract.

"Your neutrality," said King Albert,
referring to Switzerland, "is an act
of sovereignty. Ours had been obliga-
tory by an agreement of the powers.
Nevertheless, you see the result."

The king, alluding to hardships
which the Belgians had undergone,
said:

"It is necessary to tell the truth
about these things, but it is better to
use moderate language because the
more moderate language because the
more moderate, so much stronger one
is."

Further on the Belgian monarch
remarked:

"We had no ill-feeling against Ger-
many. We received her business peo-
ple. We had cordial and courteous
relations.

"Even at the present moment, I
am at a loss to explain why we have
been made to suffer what we have
suffered. I can explain to myself all
these acts of cruelty. I never
could have imagined that the German
was malevolent. On the contrary I
considered him as a quiet and domes-
tic character. I know many Germans.
My mother was the countess of Flanders
—a Hohenzollern. Why all these cru-
elties?"

The king, referring to allegations
that by certain conversations Belgium
had compromised her neutrality said:

"Once again I affirm that it is not
true."

HE DECLARES WESTERN RAILROADS PROSPEROUS

Chicago, March 31.—Testimony
that the western railroads, instead of
becoming impoverished, have in the
last five years earned more revenue
than ever before in their history was
offered yesterday at the interstate
commerce commission's hearing on
the petition of the 41 roads for high-
er rates on certain commodities.

Wayne Ellis, statistician of the
Iowa railroad commission, asserted
that the railroads, judged by statis-
tics which he compiled, were pros-
perous.

"Their net revenues for the last
five years have been greater than
ever before," said Ellis. "Compared
with 1909, the last five year period
shows a net increase of 75 per cent.

The railroads claim that operating
expenses have increased at a greater
rate than net revenue. The cause of
this is that the railroads have char-
ged to operating expenses large
amounts connected with additions
and betterments."

The witness asserted that the rail-
roads were now paying more divi-
dends than ever before.

Efforts to Raise Submarine Abandoned

Washington, March 31.—Efforts to
raise the sunken submarine F-4 off
Cape Cod harbor were temporarily
suspended yesterday after a hawser
with which the boat was being drag-
ged toward the shore snapped.

CARTER INQUIRY IS CONCLUDED

Attorneys for Judge and Soli-
citor Abernethy Closed Ar-
guments Before Com-
mission Last Night.

RECESS TO APRIL 27, THEN MAKE REPORT

Several Uncommon Features
Enliven Closing Hours of
Inquiry Which Lasted
for Eight Days.

(By W. T. Bost.)

Raleigh, March 31.—Coloel Lo-
gan Harris wanted to "thrash Judge
Carter" yesterday. Attorney Roswell
C. Beckwith conducted his facial
features and all virile concomitants
into court to show that he carried
neither grouch nor grievance, and
Judge Carter and N. J. Rouse warm-
ly "colloquized," as final acts in the
Carter-Abernethy hearing.

The committee heard the last argu-
ment late in the evening and closed
the book which has been open eight
straight days. The committee an-
nounced a recess to April 27, when
the committee will meet here again
to make up its report and recom-
mendations to Governor Craig and
the general assembly. In announc-
ing this recess Chairman Doughton
stated that it would require two
weeks for the stenographer to make
up his typewritten reports of the
evidence so that the members of the
committee can make the study they
wish to make of the evidence and ar-
gument.

Several uncommon features nar-
rated above served to give excite-
ment to a trial that otherwise had
ended to drag and was slowly using
the few who looked on. Coloel
Harris complained that the judge
contradicted him, and Mr. Beckwith
was Boswell to the facts offered by
Coloel Harris. Mr. Beckwith repel-
led by countenance and speech the
judge's suggestion that Mr. Beckwith
came at the judge in "his charac-
teristic attitude of grouch and griev-
ance." Mr. Beckwith had left his
grouch at home yesterday if he had
one.

Mr. Rouse and the judge made the
hearing more serious. Coloel Harris
caused laughter even in the face of
an impending punishment to the
judge's corporation. Judge Carter
joined in the smile. Twice the coloel
told the committee that he would
whip the judge if Carter said to the
coloel what Carter said to the com-
mittee. Even the irascible judge sat
still under the tantalizing challenge.
The lawyers had a good deal of fun
about it.

Mr. Rouse had the judge under
cross examination and was bringing
out the Newbern incident in which
the judge spread the Abernethy cha-
racter upon the records apart from
Abernethy's counsel. Mr. Rouse had
been pressing the judge for an opin-
ion as to his reflection upon the so-
licitor but was forced to take an
answer that the record speaks for it-
self.

The colloquy went on. Mr. Rouse
stuck to the suggestion that the call-
ing aside the clerk for the purpose of
making this entry was not the thing
to do. It nettled the judge but he
took it out in looks for a time.

The Political Aspect.

Then the judge sprang something
of a sensation when he said he had
seen Mr. Rouse, J. D. Langston, T.
W. Davis and Attorney Wooten in
the Newbern bar. He thought they
were there to hear some matters of
injunction or receivership and cor-
dially invited them to put their mat-
ters before the court.

"There was a stolid silence,"
Judge Carter said. "And then it
dawned upon me that one of the at-
torneys was a relative of the speaker
of the house. Coloel Langston was
the law partner of the chairman of
one of the judiciary committees, that
Mr. T. E. Davis was attorney for the
Coast line and Mr. Rouse to whom I
attributed no political motive. And I
thought after having seen suggestion
of legislative investigation in the
papers it would be well that matters
henceforth proceed at arms' length."
"Is that the reason why you took
the clerk aside and entered this re-
flection upon Solicitor Abernethy to
be spread upon the minutes when Mr.
Abernethy's attorneys were not pre-
sent?" Mr. Rouse asked sharply.
"If your purpose is to reflect upon
me I can only answer that I despise
your reflection," Judge Carter said
with fine contempt.

Mr. Rouse sprang to his feet and
asked the committee to take notice
of the attitude of the judge. For an
instant he withdrew any intent of
reflecting upon the judge but said
the body sitting in a court and that
attorneys have a right to go into such
matters as were before it. Judge
Carter took notice of the withdraw-
al and made the simplest sort of re-
ply to it. Mr. Rouse questioned him
(Continued on page 3)

INVESTIGATION OF LA TOURAINE'S FIRE

Passenger Charged With At-
tempt to Blow up French
Liner, March 6.

Paris, March 31.—Raymond Swob-
oda, one of the passengers aboard the
French line steamer La Touraine
which was impelled by fire at sea
March 6, has been arrested, charged
with setting fire to the vessel, accord-
ing to the Matin.

Swoboda, it is suspected, had close
relations with the enemy. Correspond-
ence found in his room is said to have
indicated that he was charged with
the task of blowing up the La Tour-
aine. He was taken to Havre.

Investigation by experts appointed
by Admiral Charlier who conducted
the inquiry into the fire on the steamer
has established, it is said, that the
blaze must have been caused by the
explosion of some detonating device.
The explosion was of sufficient vio-
lence to wrench loose doors of cabins
nearby.

The authorities believe that the ex-
plosive was placed with criminal in-
tent in a trunk among the baggage of
first class passengers.

Passengers examined by the state's
attorney at Havre, it is said, testified
that an amazing statement was made
one night during the voyage by a fel-
low passenger in a discussion of the
German threat to torpedo ships.

AD TESTIFICANDUM PROCEEDINGS ON

Sweeping Inquiry Begins Into
Alleged Illicit Sale of
Whiskey Here.

Following the preliminary hearing
in the case of George Cathey, tried
yesterday afternoon before Magistrate
B. L. Lyda on charges of keeping
liquor on hand for sale, Cathey was
held for Superior court under a \$500
bond, the ad testificandum proceed-
ings, instituted by Solicitor J. E.
Swain and County Attorney J. W.
Haynes, were taken up with a view to
investigating the alleged illicit sale of
liquors in Buncombe county.

Ten witnesses were examined, who
had been summoned on "John Doe"
subpoenas, and the most interesting
testimony developed at the investiga-
tion was that nearly all the witnesses
had purchased liquor on numerous
occasions from a mysterious negro,
who inhabited Biltmore avenue, and
that one Ward at Skyland had, dur-
ing the past several months, received
large shipments of intoxicating liq-
uors, although none of the residents
at the village had ever heard of Pat;
nor did the witnesses know the name
of the colored tiger.

The investigation into the alleged
illicit sale of liquors in Buncombe
county will continue this afternoon,
at which time, it is stated, the re-
cords of the agents at Asheville, Bil-
more, Skyland and Arden will be ex-
amined and a large number of wit-
nesses will be sworn to tell what they
know about sales of liquors in the
county.

In the preliminary hearing in the
Cathey case only four witnesses were
examined, Sheriff E. M. Mitchell,
Deputies C. G. Lanning, Thomas
Parker and T. F. Franks. These of-
ficers told of the raid made at the
Cathey place at Skyland, the seizure
of the liquors and the removal of
the wet goods to Asheville. Nothing
new was brought out in the case,
other than what had already been
told by the officers at the time of the
raid.

Ad Testificandum Proceedings.

Ten witnesses—C. W. Dillingham,
Paul Lyerly, Roy Case, Ollie Snyder,
Benjamin Redman, Frank Patterson,
George Frady, Hugh Frady, Will
Franks and Price Sumner—testified
in the ad testificandum proceedings.

Several of these witnesses testified
that on numerous occasions they had
purchased liquor from a negro on
Biltmore avenue, but none of them
could describe the negro, other than
that he was black. It was brought out
that several of the witnesses had visited
the cafe conducted by Cathey at Sky-
land, but each of them denied that
liquors had been purchased on any
of the trips.

It is expected that some interest-
ing testimony will be developed at the
session to be held this afternoon. The
sessions of the court are held in the
Superior court room.

BULGARS HOLDING UP ARMS SENT BY GERMANS TO TURKS

Geneva, March 31.—A Sofia dis-
patch says that Bulgaria is holding up
shipments of German artillery and
large quantities of ammunition des-
tined for Constantinople.

FIELD GUNS AT BROWNSVILLE

Three Batteries to Protect
Town, If Necessary, by
Fighting Across
the Border.

VILLA'S FORCES STILL POSTPONE ASSAULT

Meantime, Carranza and Villa
Armies Are Closing in
for Another Battle
at Lampazos.

Brownsville, March 31.—Three bat-
teries of the United States field artil-
lery have arrived here from San An-
tonio ready, if necessary to protect
Brownsville, when Matamoros is un-
der attack by the Villa troops. Mat-
amoros was quiet early today and
there were no indications as to when
Villa's forces would renew the attack.
During last night there were two skir-
mishes at widely separate places.

Washington, March 31.—While
Villa forces are delaying their attack
on Matamoros pending the arrival of
artillery, the stage is being set for
another battle at Lampazos, about
seventy miles southwest of Nuevo
Laredo.

Border officials to the state and war
departments said the Villa forces
bowed to attack the Carranza garri-
son at Nuevo Laredo, were expected
to reach Lampazos yesterday, "where
a battle probably will be fought." Earlier
messages said Carranza
troops were being assembled at Nuevo
Laredo. The garriison will number
1,200 in all and presumably a part
of the force will be sent out along
the National railway to meet the
Villa troops at Lampazos if the bat-
tle is not already in progress.

Should more troops be necessary
on the American side at Laredo, Tex-
as, in the event of an attack on Nuevo
Laredo, a regiment of infantry is in
readiness at Texas City.

The situation at Matamoros and at
Brownsville, across the border, was
unchanged yesterday. The Villa
troops, repulsed Saturday in their
first attack, were encamped five miles
from the city, the state department
was advised, expecting to renew the
assault on arrival of their artillery.

Latest estimates of the losses Satur-
day said 300 Villa troops were killed
and an equal number wounded, while
the Carranza garriison had ten killed
and thirty-eight wounded.

On the American side a dozen guns
from the Third field artillery are ready
for any emergency. Secretary Garri-
son said the instructions sent to Gen-
eral Funston was similar to those given
when bullets and shells fell on the
American side during fighting at Naco.
The secretary refused to say, however,
whether orders had been given to re-
turn the fire if the same thing hap-
pened at Brownsville.

The safe department had but meager
advice from Mexico City. Secre-
tary Bryan characterizing the situa-
tion as "uncertain but with no disor-
ders." The food situation is again
somewhat critical, Mr. Bryan said, but
General Garza had given assurances
that something will be done to meet
the emergency.

Reports from the border that Villa
had demanded of Zapata that General
Felipe Angeles be installed as provi-
sional president in place of General
Garza, lacked confirmation at the state
department or at the Villa agency
here.

Some officials were inclined to credit
the reported action of Villa saying that
he probably considered that General
Garza was coming too much under the
control of Zapata and his advisers
and that General Angeles could dem-
onstrate the situation in the capital.
No foreigners have yet left Mexico
City, Secretary Bryan said, although
both the Carranza and Zapata officials
have promised to afford them facilities
to reach Vera Cruz.

NEGOTIATIONS ARE COMPLETED FOR BIG LOAN TO FRANCE

New York, March 31.—Bankers
heard today that negotiations were vir-
tually completed between J. P. Morgan
& Co. and representatives of the
French government establishing in
this country a \$50,000,000 credit for
the benefit of France.

CONDITIONS IN YUCATAN WORST IN FOUR YEARS

Mobile, Ala., March 31.—Conditions
are worse in Yucatan than at any
time during the four years of the
revolution in Mexico, according to F.
W. Blake of Merida, general manager
of the United Railways of Yucatan,
who with his wife and four children,
has arrived in Mobile on the Ameri-
can schooner James W. Paul, Jr.,
from Progreso, Mexico.

T. F. MALLOY DIED SUDDENLY TODAY

Had Been in Usual Good
Health Yesterday—Funeral
Arrangements Not Made.

T. F. Malloy, 45 years of age, of
Asheville, died suddenly this morning
at his home, 1000 Merrimack street,
shortly after 10 o'clock this morning.
Mr. Malloy was in his usual health
until last night when, upon retiring,
he complained of nausea. His wife
was awakened this morning about 5
o'clock by the heavy breathing of her
husband and thinking his condition to
be serious, immediately summoned a
physician, who arrived soon after be-
ing called. All efforts to revive the
stricken man proved unavailing and
his death occurred a few minutes after
the arrival of the physician.

The deceased had been in ill health
for a number of years, although his
condition was not regarded as serious.
However, during the past two years,
he seemed to be greatly improved in
health and his death will come as a
great shock to his many friends.

Mr. Malloy was a man of excep-
tional mental ability and possessed a
great charm of manner which endeared
him to all of his friends and ac-
quaintances. As has been stated, he
was one of the best known men of the
city, being very prominent here since
his removal to Asheville from his
home at Cheraw, S. C., in the early
'90s.

He was born at Cheraw, December
7, 1872, and spent his early days at
his South Carolina home. He re-
moved to Asheville while in early mar-
riage, where he was united in mar-
riage, in 1892, to Miss Minnie Fagg,
daughter of Captain and Mrs. M. J.
Fagg, now with deceased. The Fagg
family was among the most prominent
of this section, where they had long
resided.

Surviving the deceased is the wid-
ow; one son, Fagg Malloy, now a stu-
dent at Washington and Lee univer-
sity at Charlottesville, Va., the father,
George D. Malloy, residing at Cheraw
and two sisters, Mrs. Alexander Kol-
lack of Darlington, S. C., and Mrs.
Archibald McArn of Cheraw. This son
and other relatives have been notified
and pending their arrival, no final
arrangements have been completed.
The son is expected tomorrow morning
from Charlottesville and the other re-
latives will also arrive tomorrow when
definite announcements regarding the
services over the body will be given
out.

LOCAL EXPRESS COMPANY IS BUSY CENTER TODAY

Last Opportunity for Those
With Gallon Thirst to
Get Wet Goods.

Today is positively the last day on
which packages of liquor exceeding
one quart in quantity will be delivered
to patrons in quantity will be delivered
to patrons of the various express of-
fices in North Carolina. The Greer
law goes into effect tomorrow and
those with a thirst exceeding the quart
limit will have to get their wet goods
today.

The manager of the local express
office states that during the past few
days his office has simply been "flood-
ed." He states that there are many
packages here without a street ad-
dress, a few of them addressed to
"some of the city's best citizens," and
that the consignees must call for them
today or forever after hold their
peace.

There are plenty of packages, too,
that have a street address affixed. In
order to deliver these today, the local
office will have to use its every re-
source. It is stated that dozens of ex-
press money orders for whiskey were
sold here Monday; and the jugs that
these orders will bring will still fur-
ther embarrass the capacity of the
office and the temper of the officials.

The express offices of the entire
state today will doubtless resemble a
great string of anti-prohibition clear-
ing houses. And after today there
will be a long "fast" and expressmen
will enjoy a long rest.

CHICAGO'S LARGEST DEAL IN REAL ESTATE HAS BEEN MADE

Chicago, March 30.—The largest
single real estate deal in the history
of Chicago was recorded today when
the Fine Arts building, controlled by
the Studebakers was sold to the
Charles A. Chapin estate for \$3,000,-
000.

FIRE IN NEW BERN DID \$30,000 DAMAGE TODAY

New Bern, March 30.—Fire which
broke out in the Kafer bakery at 8:15
o'clock this morning destroyed the
bakery and the home of H. I. Crum-
pler, editor of the New Bern Journal.
The loss is estimated at about \$30,000.
Mr. Crumpler discovered the fire and
turned in the alarm.

MAKE PLANS TO INTERM CRUISER

Navy Officials Are Prepared
for Another Course in Case
of Prinz Eitel Fred-
erick, However.

IF INTERNED MAY BE TAKEN TO NORFOLK

Reports Say Coal for German
Warships Is Being Load-
ed on Barges at Se-
wall's Point.

Washington, March 31.—Though
prepared for another course navy offi-
cials today were making plans for the
internment of the German cruiser
Prinz Eitel Friedrich at Newport
News. Virtually the same methods of
procedure would be followed as in
the case of the German cruiser Geler
interned at Honolulu and the Corman-
or interned at Samoa.

The navy department is in receipt
of money from the German govern-
ment to pay for the feeding and other
expenses of the crew and it is supposed
that a similar allowance would be
made for the men in case of inter-
ment. Officers would be given a larger
measure of liberty on personal parole.

To prevent the escape of the cruiser
portions of her machinery would prob-
ably be removed and navy officials
here believe that the cruiser would
likely be taken to Norfolk.

If the ship is kept in her dock at
Newport News a coast guard cutter
might be stationed near to prevent her
being interfered with. The confeder-
ate cruiser Florida, it was recalled,
was rammed by a union merchantman
as the Florida lay at buoy in the har-
bor of Rio de Janeiro during the war
of the states.

DRIVER RELEASED AND WET GOODS RETURNED

Whiskey Seized by Police,
Property of Members of the
Eagles' Club, Returned.

Without the name of any individual
being mentioned, nor the club to which
the liquors were to have been taken
brought into the case, the charges of
having liquor on hand for sale, made
against Charles Simpson, colored, yester-
day afternoon by the police, were
dismissed in Police court today and the
liquors seized, were ordered re-
turned to the Asheville Dray, Fuel and
Construction company, in whose dray
the wet goods were seized.

About 6 o'clock yesterday afternoon,
while Simpson was driving a wagon
belonging to the Asheville Dray, Fuel
and Construction company near the
intersection of Haywood and College
streets, he was stopped by members of
the police force, arrested and the
liquors in the wagon were seized, 15
cases in all. The negro furnished bond
in the sum of \$200 for his appearance
in court today and the liquors were
taken to headquarters.

It developed that the cases were
marked to individual members of the
Eagles' club and a member of the club
stated today that the members had
each signed for the packages and in-
tended to place the wet goods in the
lockers at the club. He stated that
this had been a custom with the local
clubs for some time.

PORTUGAL CRISIS CONTINUES TO BE SERIOUS, PARIS HEARS

Paris, March 31.—Information from
impartial and reliable sources shows
that the Portugal crisis continues to
be serious, according to a Madrid dis-
patch to the Journal. Ninety-five ar-
caneils have made protests against
the dictatorial character of the gov-
ernment, while only 17 support it.
The increasing price of flour has
caused rioting and a number of bak-
eries have been stormed.