

The Asheville Gazette News

WEATHER FORECAST: GENERALLY FAIR.

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ASHEVILLE, N. C., SATURDAY AFTERNOON, APRIL 10, 1915.

PRICE FIVE CENTS

FRENCH GAINS ARE IMPORTANT

Capture of Les Eparges Means Heavier Pressure on German Northern Flank at St. Mihiel.

THE SOUTHERN FLANK IS ALSO THREATENED

By French Advance Between Pont-a-Mousson and Meuse—Desperate German Counter Attacks.

London, April 10.—French troops, with the capture of Les Eparges, have obtained one of the main objects of their advance southeast from Verdun. The position at Les Eparges dominates the plains of the Woivre, and the occupation by the French troops was announced officially today.

The progress of the French from Verdun means heavier pressure on the northern flank of the Germans holding St. Mihiel, while the southern flank of the French advance between Pont-a-Mousson and the Meuse.

In the southern part of the field of operations the Germans are delivering almost constant counter attacks, 15 assaults having been made at one point. Evidently the French troops are not only attempting the capture of St. Mihiel, which has always been a danger point since the German wedge was driven into the allies' lines, but at the same time are seeking to aid the Russians by preventing the withdrawal of German troops from the west to be transferred to the Carpathian battlefields where the Austro-Germans are desperately pressed by the Russians.

The rumors that Austria is about to attempt to conclude a separate peace are growing in number and persistence every day. These rumors are accompanied by evidences of Italy's increasing uneasiness over the situation.

FRENCH SHIP TORPEDOED BY GERMAN SUBMARINE

Chateaubriand Sinks With Cargo of Chalk—Crew Finally Reaches Land.

Lepreport, France, April 10.—The French three-masted ship Chateaubriand, from London to New York, with a cargo of chalk, was sunk by a German submarine off the Isle of Wight at 11 o'clock Thursday morning. The members of the crew were saved.

Captain Grondin and his crew of 34 men were given 15 minutes to launch their two boats and the vessel was then torpedoed. After drifting about all that day and night in the bitterly cold weather without food, they sighted the French coast and landed here safely.

The Chateaubriand was of 2,029 tons, and left London April 4.

SEVERAL GERMAN OFFICERS, HIGH RANK, DIE IN WRECK

London, April 10.—A semi-official statement issued in Petrograd today, says Reuters agency, announces that several German officers of high rank were killed and several others wounded when a train carrying the staff of an army corps was derailed in Poland.

NEWS OF THE STATE CAPITAL

Nearly 5000 Children Parade Street in Wake County's Second Commencement Celebration.

CHILDREN OF RALEIGH WITH DOLEFUL BANNER

Over 4000 With School Capacity for Only 2634—Interesting Cases in Superior Court of Wake.

(By W. T. Bost).

Raleigh, April 10.—Wake county's second commencement celebration brought to the city yesterday nearly 5,000 school children who paraded the streets and caused all traffic to suspend in their honor.

Despite recent weather that worked against advertisement of the event and travel to the city, a tremendous outpouring of children and their parents gave to Raleigh the aspect of a circus visit. At noon the schools gathered and with the Third Regiment band playing, marched through the principal streets to the city auditorium where Mayor Johnson welcomed them and Ex-Superintendent Z. V. Judd made the address.

In the auditorium the handiwork of the schools were exhibited and scores of prizes offered through local business houses and individuals. One of the gifts was the American flag, the merchants donating more than 3,000 of these to the visiting children.

Raleigh's children stood on capitol square and displayed a doleful banner showing the city with 4,044 school children with a capacity for housing only 2,634. It was not the kind of school thing that the city wanted to boast, but it had to be frank. Six of the visiting schools from country and village districts have better school buildings than the best in the city's immediate group.

In the auditorium the children quitted the great indoors and reduced to substantial nullity the voices that would be heard by the people. It was such a jam as to make the address a wonderful physical performance. That was not its sole virtue, however. Mr. Judd brought the message from the great central plant of the state schools, a message which special fortune has allowed him to carry to that plant by reason of his work among the children and carry a fresh from the citadel of idealism.

Susman Acquitted.

Without argument of counsel in the habeas corpus proceedings yesterday in Wake county court, Judge Frank Daniels dismissed the charges of false pretense against Harry Susman brought here from Franklin county and the defendant left with a promise to get even with his prosecutors.

Mr. Susman as general manager of the Southern Telephone Instruction company, Inc. of Richmond, put in a rural station in Franklin in which J. A. Underhill, prosecuting witness, invested \$700. The contract called for quarterly payments and upon this expenditure Mr. Underhill was to receive 55 percent annually, 8 percent dividend and the free use of the instruments.

The prosecuting witness testified that he took the stock under the impression that he was buying Scotch-Bell stock. Alleging that he had been defrauded by these representations, he caused Susman to be arrested and W. H. Yarborough, representing Susman, and W. M. Person and T. B. Wilder prosecuting came here to present the case.

Judge Frank Daniels heard seven witnesses for the prosecution and four for the defense. All the letters passing between Underhill and Susman were read and they explained why the misunderstanding had occurred. Susman had written that the Bell instruments would be used and the prosecutor based his charges on that issue.

Susman took the stand and for a period made a splendid witness. Then the eastern temperament took charge of him and he raged. He told Judge Daniels that the whole thing was a conspiracy to "destroy a little Jew" and went while his lawyer and the rabbi urged moderation. "My God, man, they are trying to ruin me and my children," he said to Judge Daniels. "I will go to jail and I will vindicate myself if it costs \$100,000," he exclaimed again and the rabbi and the lawyer quietly led him to his seat.

Judge Daniels ordered the prisoner released. "There is no evidence of intent to defraud," Judge Daniels said. "Even if the defendant had represented himself as using Bell telephones and being a part of that system, no intelligent man could have been misled into thinking this was a part of a system which has no stock for sale."

The argument in the case of M. R. Kelly, charged with attempt at forgery was begun immediately after (Continued on Page Three).

TEUTON TAKES CRUISER TAKEN U. S. TO TASK TO PORTSMOUTH

Germany Complains Washington Has Virtually Acquiesced in the British Order-in-Council

ARMS FOR ALLIES BUT NO FOOD FOR GERMANS

Note Quotes From Wilson's Speech on Mexican Situation—U. S. to Make Vigorous Denial.

Washington, April 10.—Germany has sent to the United States a note complaining that the latter has accomplished nothing in its diplomatic correspondence with the allies to obtain for American exporters the right to ship foodstuffs to the civilian population of a belligerent country.

The communication intimates also that the United States has virtually acquiesced in the British order-in-council prohibiting commerce with Germany.

In view of these considerations, Germany calls attention to the fact that the allies are daily obtaining large shipments of arms and ammunition from dealers in the United States, and declares that the American government, while insisting on its legal right to ship arms to belligerents, does not with equal energy pursue its right to ship foodstuffs and non-contraband articles to the civilian population of Germany.

The note urges that irrespective of the formal aspects of the question of shipping arms to belligerents, the spirit of neutrality should be obtained, a quotation is cited from President Wilson's address to congress on Mexican affairs in August, 1913, when he said:

"I shall follow the best practice of nations in the matter of neutrality by forbidding the exportation of arms or munitions of war of any kind from the United States to any part of the republic of Mexico—a policy suggested by several interesting precedents and certainly dictated by many manifest considerations of practical expediency. We cannot in the circumstances be partisans of either party to the contest that now divides Mexico, or constitute ourselves the virtual umpire between them."

Officials of the state department have begun the preparation of a reply. The complaint that neutral countries had submitted to the influence of the allies in connection with the right to ship conditional contraband has been made before by Germany in her diplomatic notes.

It is understood that the reply to the present complaint will deny vigorously that this government has acquiesced in any way to the order-in-council and probably will refer to the last note sent by the United States to Great Britain arguing at length in opposition to the viewpoint of the allies on the blockade question.

As for the utterances of the president on the shipment of arms into Mexico, officials here hold that the Mexican situation constitutes a special case, in no way comparable with the relations between the United States and the European belligerents.

Officials pointed out that the president said in the same address to congress, "I deem it my duty to exercise the authority conferred upon me by the law of March 14, 1913, to see to it that neither side to the struggle now going on in Mexico receive any assistance from this side of the border."

There is no law by which the president of the United States, it was declared, could exercise the same authority, even if he were desirous of forbidding the exportation of arms to all belligerents, as to do so without authority from congress would be unconstitutional.

GOOD BALES OF AMERICAN COTTON ON STEAMER BURNS

Naples, April 9, (by way of Paris), April 10.—Six thousand bales of American cotton aboard the steamer San Guglielmo were destroyed by fire in the harbor here today with a loss estimated at \$200,000. Firemen, customs guards and troops were unable to extinguish the flames before the cargo was destroyed.

The German Cruiser Proceeded From Newport News Under Own Steam to Its New Portsmouth Berth.

INTERMENT DEFERRED OWING TO A DEATH

Officers and Men Will Be Allowed to Remain Aboard, Pending Instructions From Secretary.

Newport News, April 10.—The German auxiliary cruiser Prinz Eitel Friedrich left her berth in the Newport News Ship Building company's plant and proceeded yesterday to Portsmouth navy yard under her own steam conveyed by the naval tug Patent.

As the famous raider proceeded slowly along her way the whistles of the steamers in the harbor as well as those along the water front blew farewell blasts. The interment of the Eitel was deferred until this afternoon on permission of Secretary Daniels on account of the funeral of a member of the crew of the cruiser who was accidentally killed Monday.

It was said that owing to crowded conditions the warship might not remain at Portsmouth during the entire period of her internment but that she might be taken under convoy of an American battleship, to another navy yard.

Rear Admiral Beatty, pending further instructions from Secretary Daniels has notified the officers and men that they will be allowed to remain aboard the cruiser. The admiral has been instructed to receive the paroles of the officers and to take steps to see that the sailors do not take further part in the war.

American and German naval officers and sailors yesterday joined in paying a last tribute to Maxmillian Furbur Bernhard Prey member of the crew of the Eitel, who was killed by a fall in the cruiser Wednesday night. The funeral was held at 10 o'clock and was buried with full military honors, the ceremony being in charge of Lieut. J. H. Ingram of the battleship Alabama.

CIVIC LEAGUE SENDING OUT CIRCULAR LETTERS

Will Ask Each Woman in City to Help in the Sanitary Work.

At the monthly meeting of the civic betterment league held last Wednesday at the Henrietta, much was done towards inaugurating steps for the betterment of sanitary conditions in Asheville, the chief topic of interest discussed being the annual spring "clean-up" which comes from April 20 to 25.

As was stated in The Gazette-News some time ago, the members of the league planned to co-operate with the city authorities in holding this campaign and to this end, passed a resolution which made every woman of the city an active participant in the campaign.

Another very productive plan that was instituted at the meeting Wednesday and which has not had previous mention was to start a circular letter to all the women of the city. Copies of this letter, which is given in full below, were given to the members of the league present at the meeting Wednesday and have already been started by them in circulation among the women of Asheville.

The letter is as follows: "The women of the Civic Betterment league have worked for the last six years to beautify Asheville and make it more sanitary in every way. They were the first promoters of the present incinerator and trash baskets; they have been the means of placing new sanitary laws in the city code; they are anxious to continue this good work but need the support of all Asheville women. Will you help us?"

"Please copy this letter and send to three of your Asheville friends and ask them to copy and send to three of their friends in the city; each person mailing a 10 cent piece to our treasurer, Mrs. W. B. Northrup, 66 Evelyn street, Grove park."

WOULD NOT CONDEMN "JITNEY" BUS IN N. Y.

New York, April 10.—City officials of the south and west who came here to persuade the Safety First federation to condemn the "jitney" bus on the ground that it was menacing traffic have returned to their homes without accomplishing their purpose.

ABANDONS PLAN AGAINST SERBIA

ALLEGED SPIES ARE CAUGHT IN LONDON

Three Men Charged With Sending Information to the Germans.

London, April 10.—Charged with sending military information to Germany by means of invisible ink, three men have been arrested here and will be tried by the civil authorities. The case is considered one of the gravest importance. One of the suspects is named Kuepferle, who professes to be an American. Another is named Muller who claims to be a naturalized Englishman. The third who gives his name as Hahn, admits that he is a German subject.

Kuepferle came here from the United States. He first went to Dublin and then came to London where he has been awaiting passage across the channel.

ALDERMEN ORDER THAT BROAD STREET BE PAVED

Other Paving Will Be Considered on Its Merit by the Board.

The board of aldermen at the weekly session of that body, held last night, passed a resolution authorizing the reduction in the funding bond issue from \$50,000 to \$47,000, it being arranged at the same time just what denominations the bonds would be issued in.

The matter of hanging a former order of the board, removing the polling place in the fifth precinct from Westmoreland's store on Roberts street to Feimet's store at the corner of Patton avenue and Haywood street was taken up last night, at the request of several voters in that precinct and he thought the matter ought to be held over until next Friday night when those who want the change can also be heard. This was ordered done.

The board decided to rescind the tentative agreement, made several weeks ago, that no more new contracts for paving be made by the body and agreed last night that any new paving would be considered on its merits by the board. The board ordered that Broad street between Merrimon avenue and Liberty street be paved.

S. A. Lynch appeared before the board and requested that the signing of the new lease for the rental of the Auditorium, the old lease expiring on June 1, be held up, as the new lease contains a provision that the lessee shall have the right to sub-rent the building to him from May 1 to September 1, and he further stated that he had not as yet secured this contract. He reminded the board that he had been instrumental in increasing the rent for the Auditorium by \$500 and helped in securing many needed improvements. The board decided not to sign the new lease just now.

The resignation of patrolman C. J. Ingie, to take effect on April 15, was accepted. No appointment was made to take his place.

The board granted the following building permits:

- Mise Laura Tennent, sleeping porch on Courtland avenue; \$150.
- Edward Gilkie, two room addition on Merrimon avenue; \$400.
- George W. Vanderbilt heirs, stable on Hollywood street; \$500.
- I. E. Davis, three room residence on Sunset Drive; \$800.
- J. H. Bosse, five room residence on Pine Grove avenue; \$800.
- C. S. Hayes, five room residence on Livingston street; \$1,500.
- N. L. Crisp, store on Patton avenue; \$1,500.
- Tony Mordina, two five room residence on Chunn street; \$2,500.
- E. C. Hughes, eight room residence on Edwin place in Grove park; \$5,000.

WILL TAKE LAND AND SEA FORCES AT STRAITS

Rome, April 8, (by way of Paris), April 10.—King Constantine of Greece is quoted in the Tribune as declaring it his belief that it would be impossible for the allies to force the Dardanelles without a combination of land and sea attacks.

His majesty is said to have declared that Greece was in the same position as Italy and other countries which had made military preparations but had not abandoned their neutrality; that while their position was difficult he believed their attitude would be guilty by the course of events.

Austria Will Remain Strictly on Defensive to Send More Troops to the Italian Frontier, Report.

RUMORS INCREASE AS TO SEPARATE PEACE

Sentiment Favoring Such Conclusion Is Said to Be Growing in the Muscovite Capital.

Geneva, by way of Paris, April 10.—The Austrians have abandoned the idea of launching a fresh offensive against Serbia, says the Tribune, and will remain strictly on the defensive in order to send additional army corps to the Italian frontier.

The newspaper says it has been decided in Vienna to sound Russia on the subject of peace terms but it is impossible to know the result.

Russia has made important captures of artillery and war munitions recently on the Carpathian front, according to the Swiss paper. In the county of Saros alone the Russians took two batteries of 12-inch guns mortars and four other batteries of different caliber, 26 quick firers and 700 shells of the 12-inch mortars.

Basis For Peace?

Milan, April 9, by way of Paris, April 10.—A special dispatch from Petrograd says that the insistent reports in the Russian capital concerning negotiations for a separate peace with Austria are based on the supposition that Galicia and probably some other territory will be exchanged with Russia to guarantee the preservation of Austrian integrity in the Transylvania provinces.

The sentiment favoring a separate peace is said to be growing in Petrograd.

FEDERAL LEAGUE OPENS THE 1915 SEASON TODAY

Starts Season Four Days Before Any Other of the Big League Clubs.

Today marks the opening of the Federal league, four days in advance of the opening of the American and National leagues. As was done last year, the Federals got the jump on the two major leagues in anticipation of drawing record breaking opening crowds. Today's schedule calls for St. Louis at Chicago, Pittsburgh at Kansas City, Newark at Baltimore and Buffalo at Brooklyn.

It goes without saying that the progress of the Federal league will be watched with great interest by all the fans of the country during the present playing season. The league is practically fighting for its life at the present time. Several changes have been made in the managerial positions but the most noticeable change from the league organization last year is the removal of the Indianapolis franchise to Newark, Indianapolis, the pennant winner in both years of the league, found itself in financial difficulties during the past summer, the outcome of which came early this spring when the club was forced into bankruptcy proceedings.

While this came as quite a surprise to fans all over the country, those on the inside experienced no surprise whatever for it had long been known that the Indianapolis franchise was a losing proposition. For one thing, the size of the city prevented even a pennant winning aggregation from filling the club coffers as the Indiana capital was the smallest city of the eight in the league. The population combined with the opposition put up by the American association team of the city proved too much strain for the backers of the Reds to bear and they simply threw up the sponge in open court and allowed the pennant winners to be transferred to Newark.

AMERICAN DOCTOR IS DEAD IN SERBIA OF TYPHUS FEVER

Washington, April 10.—Dr. Ernest Magruder of this city, one of the physicians at the head of the American Red Cross unit in Serbia, is dead as the result of typhus fever. His death was reported by the Red Cross headquarters here.