THE GAZETTE-NEWS HAS SECOCIATED PR.T.88 IT IS IN EVERY RESPECT COMPLETE II

The Asheville Gazette Aews.

ASHEVILJ.Z. N. C., THURSDAY AFTERNOON, MAY 6, 1915.

VOLUME XX. NO. 72.

GERMANS MASS FOR NEW BLOW

London, May 6.—For the AFFIRMS troops forced the Germans from Hill No. 60, near Ypres, Emperor William's forces have been partly successful in a counter attack there. No advices to the contrary having been received, it is assumed that the Germans are still holding the positions obtained on Hill No. 60 which they gained by the use of asphyxiating gases.

Meantime the German line east of Ypres is within three Frank a writ of habeas corpus was miles of the town. The British press does not seek to deny 19, thirty days after the court's deor minimize the persistence of the German offensive, but Frank's counsel was to facilitate his there is no disposition to lament the drawing in of the sentence for the murder of Mary British front to the eastward and northeastward of Ypres which could only attend a successful counter attack. Confi. that the object of the motion in the dence is expressed that the new ply to inform the court that Frank's British alignment will prove counsel had no intention of filing beneficial in view of the hard fighting expected. Nearly all special news dispatches from and the governor for commutation of Flanders say that the Germans the death sentence," the statement continues, "have no desire to hasten are massing troops for a new assault ports.

British observers now admit that the Germanic allies infighting continues.

In view of he complexities of the situation there is compara-tively little editorial comment CHRISTIAN ENDEAVOI on the Chinese-Japanese trouble. Nevertheless, there are indications that the public are acutly interested in the negotiations between Tokio and Peking.

U. S. Supreme Court Facilitates Appeal of Frank to State Pardon Board.

> Washington, May 6 .- Upon the request of counsel for Leo M. Frank,

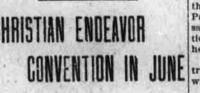
the Supreme court has issued its mandate by which the decision of the Georgia Federal district court denying affirmed. The mandate ordinarily would not have been issued until May It was reported that the action of

Phagan. Atlanta, May 6 .- Leo M. Frank's attorneys here in a statement given out yesterday said they understood

motion for rehearing on the habeau corpus application. "Those representing Frank's appli-

or retard the hearing before the govtoward the French ernor or the commission. They wish and expect the application to take

the usual and ordinary course. It is expected that the mandate will reach the Federal court here the last of this week and that Frank will be flicted several considerable lo- taken before the county Superior cal defeats on the Russians in Monday. The May term of the priscourt for resentence next Saturday or west Galicia but point out that on commission ends Saturday and a hearing on Frank's application will the entire Russian front was not be given until the June term not crushed as the Teutons at which begins June 7, unless a special session of the commission was held and that stubborn and this the prison commission states unlikely.



after conferring with counsel for both sides at the opening of court Suggestion to Have Wm. P. this morning again cautioned the jury in the William Barnes suit goinst Colonel Roosevelt, not to read the newspapers. The attorneys show ed the justice several copies of New York and Syracuse newspapers. Colonel Rooseelt resumed the witcused after his attorney had made an unsuccessful effort to have the colonel answer questions relating to

IND

local politics at Albany. Justice Andrews ruled that "infor-mation which the defendant has re-

Both Mr. Bowers, conducting the re-drect examination and Mr. Ivins, in charge of Mr. Barnes legal force announced that they were through with the witness

Colonel on Stand. The ethics of boss rule and ma chine politics as Theodore Roosevelt claims William Barnes expounded them, were related by the former president upon the witness stand in

Supreme court here yesterday. colonel swore that Barnes had ing vessel William P. Frye by the the Supreme court here yesterday. The told him that the 'riff-raff could not be trusted to handle political affairs without a leader," and hod expressed himself as being in favor of the democratic and republican organizations

combining to defeat legislation pro-viding for direct primaries. colonel went on the stand The the end of a day congested with testimony about public printing and

public money. He related what he aileged to be the substance of conversations he had with the former chairman of the republican state + com mittee over a period of from 1898 until he left the white house. He told his story with all the forcefulness at his command. In part it follows: "Mr. Barnes and I had many con-

versations on the nature of the boss and the domination of the machine. There was more than one conversaconcerning the franchise tion tax bill.

"There were some before Payn, Louis F. Payn, state superintendent. of insurance) was removed. were in the spring of 1899 and again in the beginning of 1900. Those conversations were upon the power and the necessity for the machine system of party government.

TANZER CASE WITNESS

CONVICTED OF PERJURY

Frank D. Safford, Hotel Clerk

of Plainfield, N. J., Is

Found Guilty.



Syracuse, May 6 .-- Justice Andrews Washington Does Not Accept One German Submarine Bag-

GERMAN PLAN

INES

Frye Case Adjudged in German Prize Court.

THINKS IT IS PURELY DIPLOMATIC OUESTION

ceived, confined to county and city In View of Fact That Germany Northward Ho, Hector, Progress Co-politics at Albany im immaterial." Admits Liability, Holds **Prize Court Finding** Is Unnecessary.

> Washington, May 6 .- The text of the American note to Germany de- sank seen trawlers in quick succesclining the suggestion that reparation sion.

German converted cruiser Prinz Eitel Friedrich be made by a German prize drifted about for hours in their small court and reiterating the statement that preparations for indemnity were being made, has been made public in the United States. It had already been presented to the Berlin foreign

office by Ambassador Gerard. The note says: "In reply to your excellency's note

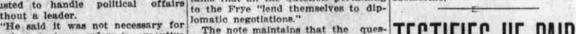
of the fifth instant which the government of the United States understands to be an admission of the lia-bility of the imperial German gov-German submarines in the North sea ernment, it feels that it would be in- and it is feared that others also have that he was determined to put an the sinking of the American sailing been lost as they were shelled and ship William P. Frye by the German fired upon with rifles by the crew of The testimony of auxiliary

cruiser Prinz Eitel Fried- the submersible. rich on January 28, last, I have the The crews of the trawlers, Iolathe, honor to say that, by direction of Hero and Northward Ho, who have my government, while the prompt- been landed here reported the deness with which the imperial Ger- struction of their boats. No lives were man government admitted the liabil- lost.

ighly appreciated by my gov- A Copenhagen dispatch says that it feels that it would be in- while the three trawlers were fullity is highly appreciated by my governme appropriate in the circumstances of ing a German appeared subfarine They the case and would involve unneces- and ordered them to stop. The crews sary delay to adopt the suggestion took to their boats and the trawlers at 1 o'clock. Other cases before the indifference. They have not in any contained in your note that the le- were then blown up by boarding par- court yesterday were: Clate Fain, way insulted or molested the Japgality of the capture and destruc- ties from the submarine. They were tion of the vessel and the standing picked up after eight hours. The Hero W. H., Siler who plead guilty to re- seem deeply perturbed.

venirs

of the claimants, as well "One conversation was just prior to amount of the indemnity, be sub- citing chase of an hour the submar-\$100. the appointment of a successor to mitted to a prize court." ine got in close range and opened a Payn. Mr. Barnes said it was neces-The note declares that the destruc- fusillade of rifl eshots and the fish- already and there are so many more moved their positions south sary that the head of the organization of the vessel was in violation of ers stopped and took to the boats. tion should have complete control and the treaty negotiations between the The trawler Porcia reached Hull whether the criminal docket will be are coming north. he instanced Albany county. United States and Prussia and main- safely after an exciting chase by "He said the riff-raff could not be tains that all the question pertaining submarine. trusted to handle political offairs



ged Nine British Fishing Vessels on Monday of This Week.

SUNK ONE JAY



quette, and Bob White of Hull and the Rugby and Bridge of the Grimsby fleet. So far as is known no lives the government against Ed White of were lost in the engagements.

The crews of the fishing vessels say that the subfarine was of the heard, the testimony of the defendnewest type and had an Iron Cross on her conning tower. The submarine and W. T. White was on the stand. ran amuck of the fishing fleet and

Taylor made a written contract with a government witness named Wilford The crews were given time to take

drifted about for hours in their small craft before being picked up, Each of the fishermen coming

ashore exhibited a huge lump of ordered White and Taylor into cusblack bread which had been given him by the crew of the submarine. They are preserving the bread as sou-

Hull, Eng., May 5 .- Three more British trawlers have been added to

The testimony of Wilford was to The Japanese consuls' orders have the effect that he had been forced to resulted in a general flight of the The crews of the trawlers, Iolathe, sign the contract under threats and Japanese residents of

against his will. The surprising developments

recess, causing much astonishment brokers, that and comment. and comment. The case against Ed White in the few bankers and rallroad officials distilling charge was given to the have left Mukden. All classes of jury just before the court adjourned Chinese view the exodus with stolid who pleaded guilty to retailing, and anese leaving, although the natives as the attempted to escape but after an ex- filling bonded bottles. Fain was fined

District Attorney

produced in court.

o disposed of this week Tuesday Afternoon.

court Tuesday the jury retruned

Mukden. value of a gold yen has increased by 30 silver cents and a rich harvest is this case came just before the noon expected to be reaped by All the Japanese civilians except

The Japanese troops occupy strate-The government has tried gic positions in Mukden, while the about 20 cases on the criminal docket Chinese soldiers are reported to have of the ready for trial that it is doubtful city. Many residents of that district

At the afternoon session of the ourt Tuesday the jury retruned a

ON TAX LEVY QUESTION

A committee from the Biltmore

board of education yesterday and re-

with the executive committee for the

in the matter of special tax levy for

of the campaign plans against the measure: Julian P. Kitchin is chair-man and the other members are T.

L. Trantham and W. L. Baird. Some

tion There and Will Probably Be Presented China This Afternoon. GENERAL EXODUS OF **JAPANESE FROM CHINA** Chinese Apparently Stolidly Indifferent-Not Molesting by a sensation in the last hour of the morning sesion yesterday. The case of Japanese Refugees ----Cherokee county charged with file War Preparations. gal distilling, was in course of trial; ant's witnesses was being introduced Peking, May 6.-Japan's ul-Under cross examination of Assistant timatum to China reached the Clyde R. Hoey, White admitted that he and Mims Japanese legation here today and will probably be presented by which Wilford was to receive \$20 to the Chinese foreign minis. in consideration of his absence at the ter this afternoon. trial of Ed White. White had the

Received by Japanese Lega-

WEATHER FORECAST:

RAIN TONIGHT.

PRICE 2 CENTS_Pay No

JAP ULTIMATUM

REACHES PEKING

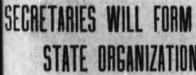
Prepared for Siege

contract in his pocket and it was Hankow, China, May 6 .--- (Via Pe-king)--- The Japanese barracks have Judge James E. Boyd immediately been prepared for a slege. Following tody and later placed them under the consular advice, many Japanese \$500 bonds to appear in court from have left this city, although the Chi-

day to day until the disposition is nese are apparently completely made of the charge against them, different. Several prominent m native Judge Boyd expressed himself in no residents were entertained last night at a dinner by some of the leading

General Flight. Mukden, May 6 .- (Via Peking)-

Artillery boomed in London today in honor of the fifth anniversary of the accession of King George to the throne.



Will Meet in Raleigh on May 18 to Perfect State Organization.

The Commercial Secretaries of North Carolina will meet in Roleigh on May 18 for the purpose of per-The Commercial Secretaries of North Carolina will meet in Roleigh on May 18 for the purpose of perfecting an organization. Heretofore seeral efforts have been made on the part of secretaries of chambers of commerce or board of trade in the

part of berretaries of branches of trade in the commerce or board of trade in the state to organize but failure has at-tended the efforts. The secretary of the Raleigh chamber of commerce is bent on this creatization and has labored cease-lossly to bring it about. Programs for the session to be held here on May 18 are being sent to all the commer-cial secretaries in the state from the

Sessions Will Be Held in Wilmington and Many Delenated.

gates Expected.

The coming state Christian Endeavor convention, which is to be held in the First Presbyterian church, Wilmington, June 4-6, promises to the largest and best ever held in this state. The convention theme is "Consecrated Enthusiasm," and a strong program is being prepared with able speakers.

Free entertainment will be provided the delegates while attending the convention, and the only necessary ex-pense will be the customary registration fee of \$1 for each person so attending. Delegates can also avail themselves of the summer rate on the

the boss to issue orders to executive officials and legislators, but that they found out they did not support the organization they could not get bills the American ownership of the Frye through, they would not be renomi-

will be readily furnished. The note concludes by saying that

the United States "ventures to sug-gest the advisibility of transferring the negotiations for the settlement of these points to the German embassy at Washington.

view of the admission of liater into a discussion of the meaning Barnes is the chief stockholder, were The case against Sam J and effect of the declaration of Lon-

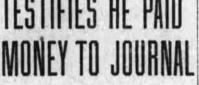
don, which is given some prominence in your excellency's note of April 5. further than to say that, as the Ger-man government has advised the Uni-Counsel for C

FLEW U.S. FLAG

Cablegram Received by Bryan

ted States, the United States does not consider that the declaration of Lon-don is being enforced."

TORPEDUED SHIP



Syracuse, N. Y., May 6 .- Awards of

public printing to the Journal comfendants had been convicted in the

further inquired into at the trial today of the Barnes libel suit against

the record a digest of the stockholders bers of the Waynesville police de-partment one of them, contrary to Biltmore school it was found there was

furnished, showing that Barnes held nearly all of the common stock and

that members of his family held the ty against the following defendants May 25 throughout Asheville townmajority of the preferred stock and on charges of removing whiskey on ship outside the city of Asheville.

books of the Journal company. He said that under the heading of "Job Printing" entries on the debit side appeared to be the cost of job printing and on the credit side the income.

Mr. Bowers of the colonel's counsel said he wanted to show that J. B. Lyon. company paid sums of money, appar-ently commissions, to the Journal com-

In the series of the first it allower on May first to all the commercial formation will leave and the senders of the first it allower and the interval of the first o Mrs.

verdict of guilty against William Led-better, tried at the morning session for illicit distilling, with a mendation for mercy. Fred Radford and W. L. Young were also convicted of distilling, the jury recommend-

ing mercy for Young. Judge Boyd ordered the cases against Frank Wells and James Groomes to be dismissed when these Finds no Basis of Compro-Finds no Basis of Compromen were arraigned on charges of retailing. It was shown that the demise on Special Tax.

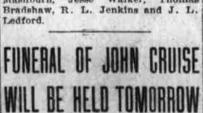
recom

in

The case against Sam Jones, young man from Haywood county for concealing whiskey was also stricken from the docket at the court's order. D. S. Roberts met with the county from the docket at the court's order. It appeared from the evidence that

Counsel for Col. Roosevelt read into after Jones was arrested by two mem- portedported that after conferring of the Journal company com- the provisions of law, asked the no basis of compromise on the quespiled from books which Barnes had prisoner to make a statement as to tion between the board and the school the charges against him. The jury returned verdicts of guil- which an election has been called for

some of the common. William J. Nusbaum, certified pub-lic accountant of Albany, testified about an examination he made of the Ledford.



funds were raised at last night's meeting to defray the expenses of the campaign and Rev. Dr. Swope was made treasurer of the executive ommittee. The committee announces that The funeral services over the body of John Cruise, aged \$1, who died last night at the home of his daughter.

Kate O'Donnell, at No. 36 French ing is announced for Friday evening Broad avenue, will be held tomorrow at Grace at which Dr. Swope, Julian morning at 9:50 o'clock from St. Law- P. Kitchin and W. C. Cleveland will

rence's Catholic church. The deceased was a native of Ire-land, but came to the United States that some of Buncombe's representamany years ago and for the past 25 years has been a resident of Asheville. He was well known and respected by

a large number of Asheville citizens, who will learn of his death with sor-Surviving are three daughters: Mrs. EXPENSE ACCOUNTS ARE

this city, and Mrs. C. C. Seawell of FILED BY CANDIDATES High Point, and one son, John Cruise, jr., of Richmond.

OHIO MAN WILL BE

THERE BREERE REFERENCE Who is under arrest at Winder

The following statements of the expense accounts of candidates is participoted in Tuesday's electi-were filed in the office of Clerk Superior court John H. Cathey, yo terday afternoon: Mayor 2. E. Ra-kin Stol: D. Hiden Ramsey 2116.5 C. H. Bartiett 215; James G. Stik-iesther 3315.75; E. S. McDury, 256.56; J. Franker Glenn 1755.55; [a) RETURNED TO STATE

Raleigh, M ay 6 .- Governor Craig has honored the requisition of the gov-ernor of Ohio for Olies Joyner, wanted in Mismi county. Ohio for murder,

Says Ship Was "Torpedoed Without Warning." pany.