

NOTE ON ORDUNA CASE ON WAY FROM BERLIN; SITUATION IS CRITICAL

Understood Germany Will At-
tempts to Justify Attack on
Cunard Liner Several
Weeks Again.

SITUATION REGARDED
FAR FROM FAVORABLE

Already Made Delicate by De-
velopments in Passport Case
and Berlin's Disappoint-
ing Note on Arabic.

Washington, Sept. 11.—The
note delivered to American
Ambassador Gerard by the
Berlin foreign office yesterday
and which was believed to be a
supplemental communication
on the sinking of the Arabic,
is now understood to be a note
relating to the unsuccessful at-
tempt of a German submarine
to torpedo the Cunard liner
Orduna on July 9. The note
had not been received at Wash-
ington early today and the state
department has no information
as to its whereabouts.

In circles close to the Ger-
man embassy, however, it was
said the note concerned the
case of the Orduna and that
while the contents were not
known it would probably be
found that Germany had claim-
ed some sort of justification for
the attempt to sink the liner.

The Orduna was chased and shelled
by a German submarine after a tor-
pedo had missed the vessel by a few
yards. The liner was enroute to the
United States and carried 22 Ameri-
cans.

Ambassador Gerard made some in-
quiry at Berlin at the direction of the
Washington administration.
What effect attempts to justify the
attack on the Orduna will have on a
situation already made delicate by
the German statement in regard to
the sinking of the Arabic, was the
subject of wide speculation by officials
here who regarded the atmosphere as im-
poverished, and the note was im-
patiently awaited.

Overnight consideration of the note
on Arabic indicated a softening of
views among one set of officials, who
were inclined to favor further nego-
tiations with Germany. Their views,
however, are not understood to be those
of the president, but they will be urged
on the president before he makes up his
mind what action the United States
should take.

Washington, Sept. 11.—President
Wilson devoted several hours today
to studying the German note on the
sinking of the Arabic. No official
comment was made on the document
but it was plain that Germany's ex-
planation was disappointing. Count
von Bernstorff, the German ambas-
sador, had assured Secretary Lansing
that full satisfaction would be given
if it was determined that a German
submarine sank the Arabic.

Germany's statement that the im-
perial government cannot acknowledge
any obligation to grant indemnity is
not considered as full satisfaction by
officials of this government.
It is understood that the United
States government would be willing to
submit to The Hague the question as
to how the indemnity should be paid,
but it is improbable that this govern-
ment will consent to arbitrate the
principles involved. An answer to
Germany is expected to go forward
promptly.

Developments following the request
for the recall of Dr. Dumba, Austrian
ambassador, involving the use of the
United States passport to forward
messages by other Teutonic diplomats,
coupled with Germany's disappointing
and unsatisfactory explanation of the
sinking of the White Star liner Arabic,
after Count von Bernstorff had given
assurances that full satisfaction would
be given if it was established that a
German submarine sank the ship, offi-
cial Washington views the friendly
relations with the Germanic powers
strained more toward the breaking
point than ever before.

Hopes that the submarine crisis had
been safely passed and that a break
between Germany and the United
States had been avoided were dis-
placed by misgivings.
Official reports that a second note
had been started from the Berlin for-
eign office for Washington furnished
but the only basis of optimism in
official quarters, so far as the subma-
rine controversy was concerned.
The American reply to the Arabic
note probably will delay until officials

Von Bernstorff Denies Employing Archibald

New York, Sept. 11.—Count
von Bernstorff, German ambas-
sador to the United States em-
phatically denied today that he
had used or attempted to use
James F. J. Archibald, the
American messenger of Dr.
Constantin Theodor Dumba,
the Austrian ambassador, as a
message bearer to Berlin.

"In view of the repeated as-
sertions by several newspapers
that I sent a message to my

government by Archibald,"
said Count von Bernstorff, "I
wish to state that I never gave
Archibald a single paper or
anything else.

"I thought I made this plain
at Washington, but I feel that a
repetition is now needed.

"I did not attempt to use
Archibald as a messenger chief-
ly because I did not think it
was safe; and it certainly did
not prove safe."

Funeral of A. G. Spalding Will Be Held Tomorrow

San Diego, Cal., Sept. 11.—The
funeral services of Albert Goodwill
Spalding, one of the pioneers of baseball,
will be held today from the family
home at Point Loma. Mr. Spalding
died suddenly Thursday. The ceremony
will be private and will be fol-
lowed by cremation.

For the last ten days Mr. Spalding
had apparently been rallying from
what was supposed to be a slight par-
alytic stroke and yesterday he seemed
to be in god spirits. Last night, how-

ever, he complained of a severe pain
in his head. His valet summoned Mrs.
Spalding, but before she arrived he
lapsed into unconsciousness.

Besides the widow, there survive
three sons—Albert Goodwill Spalding,
Jr., Keith Spalding and Rurand
Churchill, a son by adoption.

In the first primary election in Cal-
ifornia for United States senator in
1910 Mr. Spalding entered the race
against John D. Works of Los Ange-
les.

can learn whether to expect anything
additional from Berlin.

It may be stated, however, that if
nothing comes in the nature of a mod-
ification of Germany's explanation, an
American note will reach Berlin prob-
ably early next week which will set
forth the views of the United States in
a brief and unmistakable manner.

Germany's declaration that, while
she regrets the loss of Americans, she
recognizes no liability for indemnity,
even if the submarine commander was
mistaken in believing the Arabic was
about to attack him, and practically
offering to arbitrate the principle, is
regarded in official circles as leaving
the whole submarine question prac-
tically where it was left by Germany's
unresponsive attitude toward the Lusitania
negotiations.

Captain von Papan is involved in
the Dumba case because he forwarded
by James F. J. Archibald, the Ameri-
can correspondent traveling under an
American passport, a personal letter
in which he made offensive statements
about American officials. Moreover,
Ambassador Dumba's letter to the Vi-
enna foreign office, found on Archi-
bald, mentioned von Papan as having
approved what the state department
in its note to the Austro-Hungarian
government characterized as a con-
spiracy to cripple the legitimate in-
dustries of the United States. Consul
General Nuber is drawn into the case
because the Dumba letter disclosed
that he was connected with this strike
plan.

High officials indicated today that
the government would take steps of
some kind against the editor of a
Hungarian newspaper in this country
from whom a memorandum was en-
closed in the Dumba letter outlining
carefully prepared plans for putting
into effect the scheme for handcap-
ping munitions plants.

Count von Bernstorff is involved
technically, because Archibald carried
a letter for him, but as it was a copy
of a statement previously made to the
ambassador by Secretary Lansing,
wholly of an innocuous character, offi-
cials do not regard the German am-
bassador's status in the affair as ap-
proaching that of his military attaché
or the Austrian consul general.

ALLEGED BLOCKADER IS HELD FOR TRIAL

At a hearing in Hendersonville yes-
terday before the United States com-
missioner, Alonzo Lyda was held for
trial at the next term of Federal court
at Asheville for the trial of criminal
cases. Chief Deputy Marshal John
Y. Jordan brought Lyda to Asheville
and placed him in the county jail.
The prisoner was arrested Thurs-
day by Revenue Officer J. A. Gallo-
way near a distillery that he is charg-
ed with operating. Four other men
were on the premises but they made
their escape.

DANIELS SIGNS PLANS FOR TWO BATTLESHIPS

Washington, Sept. 11.—Plans for
two new battleships authorized by the
last congress have been signed by Sec-
retary Daniels. They will be the largest
and most powerful warships ever
designed for the American navy. In
addition to formidable main batteries
of twelve 14-inch rifles, each will be
provided with new safeguards against
torpedo attack and anti-air craft guns.

WILL BUILD TABERNACLE ON HAYWOOD STREET

Committee Has Selected Oppo-
site Margo Terrace, Own-
ed by G. S. Powell.

Announcement was made this morn-
ing by Rev. Dr. C. B. Waller, chair-
man of the committee on arrange-
ments for the Chapman-Alexander
evangelistic campaign, that the lot on
Haywood street, owned by George S.
Powell, just across the street from the
Margo Terrace has been selected for
the erection of the tabernacle.

Work will begin at once on ar-
ranging the material and building the
tabernacle, which it is estimated will
seat 5,000 people. It is planned to
have all the arrangements for the
meeting completed and the tabernacle
ready for use several days before the
time of the meetings, which begin on
October 17 and continue for six weeks.

The state insurance commissioner
refused to allow the committee to
erect a building which is not fireproof
on the lot on Market street, which was
selected by the arrangement commit-
tee and then it was necessary to go
beyond the fire limits. All members
of the committee are much pleased
with the selection of the Powell lot.

RECOMMENDS INCREASE IN NAVAL ACADEMY MEN

Washington, Sept. 11.—Secretary
Lansing will recommend that the
number of midshipmen at the naval
academy be increased to capacity.
This would mean the appointment of
practically 300 more than has been
enrolled this fall, or about 1200 in all.

FARMERS' UNION MEETS TODAY AT HEMPHILL

The Farmers Educational and Co-
Operative union of Buncombe county,
will meet today in the Hemphill sec-
tion. A large attendance is expected
from the various districts of the
county to take part in the discussions
on the subject of "Winter Cover
Crops."

E. S. Millsaps, district farm dem-
onstration agent, last fall began a
movement to arouse the interest of the
farmers in this method of protecting
the fertility of the soil during the
winter. Clover and vetch are recom-
mended as crops which will hold the
most expensive part of fertilizer.

NINE PRIVATEES ARE SENTENCED

Boys in Raleigh Company Be-
For Most Part Charged
With Refusal to Under-
go Inspection.

TROUBLE AT SOLDIERS'
HOME ABOUT SUBSIDED

Major Butler Hoots at Story
That Republicans Intend to
Vote Negroes in the
Third District.

(By W. T. Host)
Raleigh, Sept. 11.—The sentences
imposed upon the nine privatees in
company B of the Third North Caro-
lina regiment have been announced
after a delay of many months.

The boys in the local company were
for the most part charged with re-
fusal to undergo inspection, attend the
annual encampment and work to-
gether for the good of the organiza-
tion. Some of these offenses were
serious breaches, but all except one
will get off with a reprimand and
some with fines.

The men who were charged with
giving trouble were Privates W. A.
McDade, W. M. Drake, W. B. Harbour,
Walter Coley, Willis E. Moody, Ebon
C. Gower, W. G. Gower, D. J. Stevens
and W. N. Bating. The court-
martial was held in December of 1914
and the violations were for 1914.

Privates McDade and Harbour are
given reprimands. Private Drake is
publicly reprimanded and fined \$5.
Walter Coley is reprimanded and fined
\$3. He is sentenced to jail three days
if he fails to pay the fine. Private
Moody is reprimanded severely and
put on probation sixty days. If he
fails to pay a fine of \$2 he is dis-
charged from the service. The two
Gowers are reprimanded. Ebon C.
Gower's chief offense being his fail-
ure to notify his officer of the physi-
cal condition making his attendance
upon the encampment impossible. D.
J. Stevens is fined \$5 and the sentence
pronounced too lenient. W. N. Bat-
ting is reprimanded and discharged
for failure to pay a former fine.

Will Demand Service.
Governor Craig signs these orders
and it is his determination to see that
the guard is not crippled by insubor-
dination. The department feels that
service is voluntary and that no man
ought to be made to enter it, but once
in he should stick.

The city courts have some other
cases affecting the guard and these
will be settled there. There is nothing
else before the department.

Soldiers' Home finally got into
the public prints after energetic ef-
forts of the inmates, some of whom
have been working eight months to
bring it back.

Threats from some of them three
weeks ago to present the management
to the grand jury came near amount-
ing to something, but the trouble
seems to have somewhat subsided.
One of the local papers printed a
story which causes a statement from
the board of internal improvements.
The hinted dismissal of Superintendent
Lineberry is denied.

Major Butler Doesn't Want Them.
Major George E. Butler asks a
"comeback" to your correspondent's
Thursday morning story, in which he
set forth something of democratic ter-
ror for the prospect of Major Butler's
candidacy for congress against George
Hood.

"Your Raleigh letter was no less in-
teresting than amusing," Major But-
ler says. "I am at a loss to know what
imaginative political genius from the
east could have handed out to you
such a cock and bull story about the
designs of the republicans in the third
district. Democratic fences must be
getting awfully shaky to imagine that
the republicans in this district or any-
where else in the state would now or
at any time in the future attempt to
use the colored voter for political ad-
vancement. How utterly silly the
thought! Our party polled 46 per cent
of the white vote six years ago and
has grown some since, it must be ad-
mitted. The negroes now vote only
in the democratic primaries in which
the republicans have no concern. We
are willing to abide the results of the
constitutional amendment which
works the negro's disfranchisement.
The amendment was unconstitutional
when passed. It no longer discrimi-
nates as to suffrage qualifications and
is now constitutional and is the law
of the state.

"We did not attempt to test the con-
stitutionality prior to 1908 and we
shall not attempt to do so now. The
elimination of the colored voter is
making free, independent voters in
North Carolina as fast as it is making
North Carolina republicans. Why de-
stroy the goose that is laying the gold-
en eggs? No, there has been no con-
ference between ex-Senator Butler
and myself about political conditions
in the third district since the election
in 1910. We shall not make any ap-
peal to the colored voter in this dis-
trict or in the state in 1916, nor will
any reputable republican in the state
do so. Some frightened democratic
(Continued on page 11)

CARRANZA NOTE REJECTS OFFER

Answer Is Said to Decline Pan-
American Offer For Con-
ference to Establish Pro-
visional Government.

"FIRST CHIEF" CLAIMS
HE CONTROLS COUNTRY

Mexican Leader Is Willing to
Discuss International Prob-
lems Involved—Confer-
ees May Accept.

Washington, Sept. 11.—General Car-
ranza in his reply to the Pan-Ameri-
can peace appeal, it was learned to-
day, has agreed to discuss any inter-
national aspect of the Mexican situa-
tion but has declined to enter into a
conference on internal affairs.

General Carranza's answer, which
was received yesterday declines the
offer of Secretary Lansing
and the Latin-American diplomats to
arrange a conference of the American
factions to form a provisional govern-
ment.

Carranza's main contention is shown
to be that his forces are in practical
control of the country and that to en-
ter such a conference would have no
beneficial effect.

The answer declares, however,
that Carranza does not wish to ignore
the friendly interest of the United
States, Argentina, Brazil, Chile, Bol-
ivia, Uruguay and Guatemala and for
that reason he will say if there is any
international problem to be consid-
ered with the representatives of the
Pan-American governments to meet them.

It was pointed out by American offi-
cials that there are international as-
pects of the situation that need consid-
eration and adjustment, one of which is
that Carranza is not in a position to afford
adequate protection to lives and prop-
erty and another which concerns the
payment of claims to foreigners grow-
ing out of the revolution.

At the mediation conference at Nia-
gara Falls Carranza declined to ac-
cept mediation of internal affairs of
Mexico, but offered to enter into a
consideration of international ques-
tions. The proposal was rejected on
the ground that Carranza must not be
permitted to limit the scope of medi-
ation. It is now pointed out that
conditions have changed and that the
Pan-American conferees are in no
sense a mediating commission.

TO ASK HAYWOOD TO BUILD TO LINE

County Board Appoints Com-
mittee to Visit Haywood
Board About Road.

At a recent meeting of the board
of county commissioners, County At-
torney J. W. Haynes and Commis-
sioner John W. Rutherford were ap-
pointed a committee to visit the coun-
ty commissioners of Haywood county
and ask them to meet the Buncombe
county road at Turnpike, as a part
of the Asheville-Murphy highway.

The last legislature passed an act
creating the Asheville-Murphy high-
way and appointed N. Buckner and
Church Crowell as trustees. The Bun-
combe county commissioners at once
started to fix that part of the highway
in this county, with the result that
all but about four miles is now finish-
ed and it is stated that work will be
started on this remaining link at once.

Haywood county will be asked to
complete its part of the road and
meet the Buncombe road at Turnpike,
which is on the county line. It is be-
lieved that the Haywood commission-
ers will respond by beginning work
on that section leading towards this
county and when this is completed
the highway through two counties will
be completed.

DURHAM MAN DIES AFTER SHORT ILLNESS

Durham, Sept. 11.—J. F. Stagg,
aged 67 years, vice president of the
Durham and Southern railway, died at
his home here this morning follow-
ing an illness of two weeks. Mr. Stagg
was a native of Burlington, N. C., but
came to Durham as a young man. For
a number of years he was with the
American Tobacco company and
served at one time as the private sec-
retary of Washington Duke.

RUSSIANS STILL WINNING ALONG GALICIAN FRONT

OFFICERS ELECTED BY CONFERENCE

Probable That Asheville Will
Be Chosen as the Conven-
tion City, 1916.

At the final session yesterday after-
noon of the Southern Surety and
Casualty conference elected officers for
the coming year and considered
invitations of entertaining the conven-
tion next summer. The officers chosen
are: C. E. Clarke, president of the
Peninsular Casualty company of Jack-
sonville, president; P. M. Estes, gen-
eral counsel of the Life and Casualty
Insurance company of Nashville, vice
president; A. H. Kohn, secretary and
treasurer of the Carolina Life Insur-
ance company of Columbia, secretary
and treasurer; C. P. Orr of Birming-
ham (chairman), H. D. Huffaker of
Chattanooga, A. M. Mayes of Durham,
R. H. Dobbs of Atlanta and A. W.
Christman of Washington, members of
the executive committee.

The selection of the next place of
meeting was left to the executive com-
mittee. The first invitation received
and the one given most applause was
that from the city of Asheville, the
other four being Atlanta, Nashville,
Chattanooga and Birmingham. Many
of the members of the twenty-six in-
surance firms present took the floor
in behalf of the chief convention city
of the south and all praised the hospi-
tality extended to them here and the
efforts for their comfort and entertain-
ment made by the management
of the Battery Park hotel. It is con-
sidered probable that this city will
be named as the place for holding
the 1916 meeting.

C. E. Clark of Jacksonville delivered
an address on "What I Think of the
Conference." The speaker dwelt on
the importance of co-operation in any
business or line of endeavor and de-
clared that the company that failed to
enroll as a member of this organiza-
tion was endangering its chances of
success.

Representatives of a number of in-
surance journals have been in attend-
ance on the sessions, and the reports
of the sixth annual convention of the
conference at Asheville will receive
wide circulation.

OVER \$2000 IS RAISED BY CHARITY WORKERS

Three Days' Canvass Conduct-
ed by Associated Charities
Produces Great Results.

With \$552 raised yesterday by the
workers in the Associated charities
campaign for funds to be devoted to
charitable work the total amount
secured in three days amounts to \$1,-
507.55. President J. G. Adams stated
that from the cards still out the or-
ganization is assured of receiving ad-
ditional subscriptions that will make a
total of more than \$2,000. The com-
mittees will report to the board of
directors at a meeting to be held at
the American National bank building
Tuesday afternoon at 4:30 o'clock.

CITY AND COUNTY AGREE ON THE ROAD MATTERS

One of the results of the joint ses-
sions of the city and county commis-
sioners, which was held yesterday af-
ternoon, was the agreement reached
whereby the county will sell to the
city crushed stone from the quarry at
Newbridge at a nominal price for the
construction of the roads from the
end of Chestnut street to the city lim-
its and from the National Casket com-
pany's plant to Smith's bridge.

It was stated that work would be
started on these connecting links at
once, in order that it can be completed
before cold weather. It will be good
news to the people of the Weaverville
section to know that the link on the
Asheville-Weaverville road will be
built at once.

AMERICAN KIDNAPPED BY MEXICAN BANDITS

Washington, Sept. 11.—State and
war department officials are aroused
over the kidnapping of an American
citizen by Mexican bandits at Colum-
bia, New Mexico. John Lowenbruck
was seized by a band of Mexicans, said
to be soldiers, carried across the bor-
der from Columbus and word was
sent back that he was being held for
\$2,000 ransom.

Score Another Success at the
Southern Extremity of Line
in Which 5,000 Prison-
ers Were Taken.

SUCCESS ARE NOT
OF VITAL IMPORTANCE

Von Mackensen Continues to
Hover Along Line of De-
fenses Which Alone Guard
Important Railways.

London, Sept. 11.—Another
success on the southern Galici-
an front which resulted in
the capture of 5,000 prisoners
is announced by the Russians.
Even Petrograd papers admit,
however, that this section of
the fighting area is not of the
most vital importance, since
Field Marshal von Mackensen
is still hovering along the line
of minor fortresses which forms
the last remaining defenses on
the way of complete control of
the railway system desired by
the invaders.

The Russians declare the in-
itiative in the isolated engage-
ments on the southern wing is
gradually passing into their
hands.

Near the center of the line
Field Marshal von Mackensen
is still pushing his way vigor-
ously through the Pripet
marshes toward Pinsk. North
and south of his headquarters
a strong offensive has develop-
ed near Frodno and on the
road to Rovno.

On the other fronts there is
not as much activity as in the
eastern theater, so far as official
reports indicate.

Sharp fighting is in progress
along the Austro-Italian lines;
but there is no further news
from the Vosges and the Ar-
gonne, where the Germans have
launched a heavy attack
against the French trenches.

The only new feature in the
near-eastern diplomatic puzzle
is an assertion from Bulgarian
sources that Sofia feels that
her past neutrality should be a
sufficient reward for Turkish
concessions.

The fortress of Dubno, one of the
triangle in Volhynia, a short distance
north of the Gallatin border, has
fallen to the Austrians.

No reports have been received of
the operations on Gallipoli peninsula,
but a Sofia dispatch says the Allies
are concentrating large forces for a
renewed general attack.

It has been officially announced
that no Americans were killed or in-
jured in the latest Zeppelin raid on
London. Berlin asserts that German
naval airships in this raid attacked
with good results the western part
of London, factories near Norwich and
the harbor works and iron works at
Middlesboro and that numerous fires
were observed after the raid.

Berlin, Sept. 10.—French trenches
near Schatzmannelle and Hartmann's
Wellerkopf, in the Vosges, have been
captured by storm by the Germans,
according to an official statement.

Paris, Sept. 10.—Artillery fighting
continued yesterday and last night
along the line in France, according to
a French official statement, which
says that in the Vosges the Germans
used asphyxiating gases and flaming
liquids as a result of which a French
trench of the first line had to be evacu-
ated.

The French by counter attacks,
however, succeeded in recovering the
greater portion of the lost ground.

Zeppelin Shot At.