

DEFINITE, RESPECTFUL DEMANDS ON AUSTRIAN GOVERNMENT RENEWED

Second Ancona Note Says U. S. Has No Other Course But to Hold Vienna Government Responsible.

NOT CALLED UPON TO DEBATE PRINCIPLES And U. S. Does Not Understand That Imperial and Royal Government Questions or Dispute the Essentials.

London, Dec. 22.—A Vienna telegram forwarded by Heuter's correspondent says the delivery of the Austrian foreign office of the second note on the Ancona case from the United States has been announced by the Neue Freie Presse.

Washington, Dec. 22.—The text of the note which Ambassador Penfield was instructed to deliver to the Austro-Hungarian minister of foreign affairs reads as follows:

"Department of State, Washington, Dec. 19, 1915.

"The government of the United States has received the note of Your Excellency relative to the sinking of the Ancona, which was delivered at Vienna on December 15, 1915, and transmitted to Washington and has given the note immediate and careful consideration.

"On November 15, 1915, Baron Swidenek, the charge d'affaires of the imperial and royal government at Washington, transmitted to the department of state a report of the Austro-Hungarian admiralty with regard to the sinking of the steamship Ancona, in which it was admitted that the vessel was torpedoed after her engines had been stopped and when passengers were still on board. This admission alone is in the view of the government of the United States, sufficient to fix upon the commander of the submarine which fired the torpedo the responsibility for having wilfully violated the recognized law of nations and entirely disregarded those humane principles which every belligerent should observe in the conduct of war at sea. In view of these admitted circumstances the government of the United States feels justified in holding that the details of the sinking of the Ancona, the weight and character of the additional testimony corroborating the admiralty's report, and the number of Americans killed or injured are in no way essential matter of discussion. The culpability of the commander is in any case established and the undisputed fact is that citizens of the United States were killed, injured, and put in jeopardy by his lawless act.

"The rules of international law and the principles of humanity which were thus wilfully violated by the commander of the submarine have been so long and so universally recognized and are so manifest from the standpoint of right and justice that the government of the United States does not feel called upon to debate

Mrs. Asquith Sues London Globe, Alleging Libel

London, Dec. 22.—The case of Mrs. Herbert H. Asquith, wife of the premier, against the Globe, was resumed in chancery court yesterday having been continued from last Friday. The court granted Mrs. Asquith an injunction to her petition asking restraint of the Globe from publishing an article which Mrs. Asquith alleged was libelous.

At the hearing last week counsel for Mrs. Asquith said she had been accused by the Globe of disloyalty and of associating with German prisoners and that an article had described her as traitorous and distasteful to her sex.

The only answer made by the Globe since the hearing last week was an affidavit filed by the manager stating that he knew nothing of the matter.

"There is not the shadow of proof for this libel," declared counsel for Mrs. Asquith. "She has never been in Downing hall (where German prisoners are confined) nor has she had any communication whatever with the inmates."

NAT'L GUARD WANTS PAY FOR THE MEN

If Congress Will Provide Funds Guard Will Give 500,000 Trained Men.

Washington, Dec. 22.—The attitude of the national guard toward the nation's defense legislation at the approaching session was the subject of several conferences that have been held in Washington during the past three or four days. Those who participated in the conferences were Chairman Chamberlain, of the senate committee on military affairs; Chairman Hay, of the house committee, on military affairs; Gen. W. F. Sailer, Jr., Virginia; Gen. Lawrence Young, North Carolina; Gen. Lee S. Tilton, Vermont; Gen. A. B. Critchfield, Ohio; Gen. Albert J. Logan, Pennsylvania; Gen. Thomas J. Stewart, Pennsylvania; Col. George Albert Wingate, New York, and Col. Robert Leedy, Virginia.

The officers compose a committee which is authorized to represent the national guard of the country.

"The national guard," said General Critchfield, in discussing the conferences, "is not attempting to interfere with any of the recommendations of the war department. We discussed nothing except legislation pertaining to the national guard. Neither did we attempt to write a bill for the committee."

MOTORCYCLE RACES PLANNED FOR XMAS

Speed Event to Be Staged on French Broad Avenue If Residents Consent.

The Asheville Motorcycle club is making plans for a race on French Broad avenue, the entire length of this street, on the afternoon of Christmas day. The city commissioners have referred the request of the club to the commissioner of public safety, D. H. Hiden Ramsey, and Mr. Ramsey stated today that permission for the speed event is contingent upon the consent of the property owners along the avenue. With this condition met the club members are circulating a petition among the residents of the thoroughfare and it is believed that the race will take place.

A member of the motorcycle organization stated this morning that last year the crowds assembled for the races trampled over lawns and flower beds on French Broad avenue to such an extent that much complaint was made against automobile and motorcycle races here. The people living on this street are being assured now that if the contest is held adequate police protection will be given to property owners.

It is proposed to have about 15 entries for the exhibition, including racing machines capable of making an average of 60 miles an hour over the course. It is desired to have the cars start at 2 o'clock, the performance to continue until 3:30 in the afternoon.

TWO FIREMEN ARE KILLED IN BOSTON

Boston, Dec. 21.—Two firemen were killed and a third was severely injured when a floor collapsed in a burning factory building on Cambridge street early today.

NEW YORK COTTON.

October	12.80
November	11.87
December	12.19
January	12.43
February	12.65
March	12.87
April	13.10
May	13.33
June	13.55
July	13.78
August	14.00
September	14.22
October	14.45

HOUSE MISSION SAY FAREWELL TO VON PAPAN NOT ON PEACE

Second Trip to Europe of President's Friend Not Connected With Any Peace Movement.

TO TAKE INSTRUCTIONS TO U. S. AMBASSADORS

Announcement of Trip at Request of President and Secretary Lansing Causes Great Interest.

Hot Springs, Va., Dec. 22.—President Wilson said today that the European trip of Colonel E. M. House was in no way connected with a peace movement, but was entirely for the purpose outlined by the colonel in his statement given out in New York last night.

Colonel House said that his mission was to communicate to American ambassadors in person for the president certain information so that they might more intimately communicate the attitude of the United States toward certain phases of the international situation.

Today the president and Mrs. Wilson motored over to White Sulphur Springs, W. Va., for luncheon. It was a ride of about 45 miles.

GERMAN PEOPLE AGAIN OFFENDED

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Consideration of the state of public opinion in Germany because of the two actions of the American government, according to reliable sources, has caused officials in Berlin to decide that such a settlement of the Lusitania case as might be satisfactory to the United States would not meet with popular approval in Germany.

An agreement was said to have been practically reached between the United States and Germany soon after the American note to Great Britain protesting against interference with American commerce was made public. The note to Great Britain is said to have created a remarkable pro-American sentiment in Berlin and throughout Germany.

At that time it was said German public opinion would have approved of conceding a bit in order to make the settlement of the controversy possible.

Negotiations between Secretary Lansing and Count von Bernstorff, the German ambassador, looking to the settlement of the controversy of Captain von Papan and Captain Boy-ed. This action, according to advices received here, caused German public opinion to swing back to resentment at the action of the United States because the belief prevailed that the attaches had done nothing to justify the request for their withdrawal.

The demands on Austria and the rigorous terms in which the first American note was couched have intensified the attitude of adverse criticism and resentment started by the recall of the attaches.

STUDENTS LEAVE FOR THEIR HOMES

Asheville School, Bingham and Mars Hill College Close For the Holidays.

The Asheville school closed yesterday for the holidays and the boys who are students at the institution left for their homes in the afternoon. The Southern Railway company provided for the students three Pullman sleeping cars and a baggage car on the second section of train No. 12 which left Asheville at 3:10 o'clock. The Queen and Crescent railway will also handle these cars as a special train.

Yesterday was the official date for the beginning of the Christmas season at Bingham school and large numbers of students were passengers on afternoon trains. A number of the cadets from Texas left on Monday for their homes.

Mars Hill college concluded its fall term on Tuesday and yesterday afternoon many boys and girls from that college were in Asheville en route to different cities and towns in this and other states.

BOOKS IN PARIS WORTH 10 PER CENT MORE

Paris, Dec. 21.—Books, following the upward tendency of many articles of necessity now cost ten per cent more than before the war, to the retail book-sellers. Whether the reader will have to pay this increase the retailers have not yet decided. The reason given for the advance by the publishers is the increased cost of paper.

10,000 GRANTED AMNESTY BY JAPANESE EMPEROR

Seoul, Korea, Dec. 22.—The special coronation amnesty proclaimed by Emperor Yoshihito has caused considerable rejoicing in Korea especially among the relatives and friends of convicted people of whom 10,000 benefited by the amnesty. In the Seoul prison alone, which contains male prisoners, 1,466 out of the total of 1,575 were either pardoned or had their sentence commuted.

JAIL AT DUNN MILLION MORE TROOPS VOTED BRITISH ARMY

Adjutant General Young Saw No Indications That Mob Would Attempt to Release Two Prisoners.

LEFT 15 MILITIAMEN GUARDING HARNETT JAIL

Prisoners Had Been Delivered From Benson Jail—Supreme Court Hears the Warren-Christy Arguments.

Raleigh, Dec. 22.—Adjutant General Laurence W. Young's presence Monday night at Dunn and his return yesterday from the seat of possible war have been followed by no indications that the mob which released two prisoners in Benson will undertake a repetition at Dunn.

General Young was called out Thursday night about 10 o'clock by a message telling him of possible need of the militia. General Young gathered none of the circumstances except the liberation of two white men, whose names he did not learn, at Benson. These men were under indictment for breaking into a store and blockading as he learned the story, and some nights ago the Benson jail was entered and the men taken out. They were released undoubtedly by their friends and liberated.

Later the fellows, whose names are given as Smith, were caught and locked up in Dunn. Threats of interference by friends gave alarm to the civil authorities who had two officers to look out for the mob if it came. When General Young received the message he left in a Ford peace ship for the Harnett town. This Oscar the Second joined the commander considerably but he was able to remain awake going and coming.

General Young put 15 soldiers in charge and they have instruction to nip any incident mob in the bud. The prisoners are to be tried tomorrow and the guard will remain on duty until that time. The weapons carried by them are not Christmas pistols.

WARREN-CHRISTY CASE ARGUED

The supreme court sat two hours for argument in the Warren-Christy appeal from Forsyth county yesterday and then adjourned until today. The court will not finish the fall term this year but will take a recess until after the holidays.

Former Judge E. B. Jones represented Mrs. Ida Ball Warren, the femme defendant charged with the murder of her husband, G. J. Warren, and F. M. Parrish appeared for S. P. Christy, the other defendant also charged with that crime and also under death sentence.

Judge Jones and Mr. Parrish based their arguments upon the sole issues of a fair trial. They did not contend that their clients are not guilty of some crime but that they are not guilty of the crime charged against them and that they did not have a fair trial. Judge Jones said that he and his associate do not charge Judge Cline with purposeful unfairness. The case was complicated, he said.

Mr. attorney thought Judge Cline should have separated the cases as much as possible, should have admitted the testimony separately and not have made a "hodgepodge" of the testimony. He thought the trial judge's charge had many flaws in it and that the admission of certain testimony was improper. This was notable in the letter of October 22 in which Mrs. Warren was represented as having declared that she had heard from her husband, Warren had then been dead since August 18.

"Mrs. Warren denied having written any letter and denied that the letter purporting to have come from her husband was written by him," Judge Jones said, "and the letter bore little, if any, resemblance to the case on trial." Its sole effect could have been to prejudice the case of the defendants and it should not have been admitted."

Mr. Parrish, representing Christy, charged duress against the officers who went to Grand Saline, Texas for Christy, "armed with the newspapers which were printing stories in box car letters." Mr. Parrish said, "These officers arrested Christy, started to North Carolina at 10:17 one night, gave him the papers and told him that they believed it impossible for one man to have committed the crime. When they arrested Christy, I do not know whether they kept him awake at night but the record shows that at 4 o'clock the second morning Christy began to tell his side of it."

"They call Mrs. Warren's statement to the papers a 'confession' but it was simply a charge against Christy," Mr. Parrish said the officers gave Christy a drink of beer. Judge Brown asked if the officers put "him through the third degree?" and Mr. Parrish said if there is any such thing as the third degree his client got it. He did not mean physical torture.

Under those conditions Christy "confessed." The lawyer did not think such a confession voluntary and does not think therefore that Judge Cline (Continued on Page Two).

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