

The Asheville Gazette News.

ASHEVILLE, N. C., THURSDAY AFTERNOON, DECEMBER 23, 1915.

WEATHER FORECAST.
FAID TONIGHT AND FRIDAY.

PRICE 2 CENTS—On Trains & Cto.

GREEK MARTIAL LAW DECREE IS NOW IMMINENT

Considerable Uneasiness at Athens Over Possibility of Bulgarians Crossing the Greek Border.

RUSSIAN ATTACK ON VARNA HAS DWINDLED

Now Appears 'Bombardment' Was Nothing More Than Torpedo Boats and Shore Batteries Engagement.

London, Dec. 23.—Proclamation of martial law in Greece is reported in unofficial dispatches to be imminent. Although no confirmation of the reports has been received here, there is evidence of growing uneasiness at Athens over the possibility of Bulgarians crossing the border. The only thing that has occurred to relieve the situation is the announcement that the Bulgarian officer in command of the forces which clashed with the Greeks in Epirus a few days ago has been punished and that the incident is considered closed.

The recirculation of submarine activity in the near-east is signified in a "startling manner" by the sinking of the Japanese liner Yasaka Maru. Apparently no lives were lost, but according to the marine insurance men the property loss was the heaviest of any marine disaster since the beginning of the war.

The mystery of the bombardment of Varna, which was at first depicted as a formidable Russian attack on the chief Bulgarian port, has stirred London, but according to reports from both sides the operation was nothing more than a minor naval engagement among torpedo boats in which the shore batteries participated.

However, a large Russian fleet is said to be in the vicinity of Varna and the action may have been a preliminary to a more important operation.

Bartman's-Wellerkopf is once more the subject of contention. The possession of the summit of the mountain has been so closely disputed in military way as well as by those who record military movements that an Associated Press correspondent was called upon last April to decide the relative positions of both sides. In the present instance the French agent that they have expelled the Germans from their highest trenches. The Germans admit they retired from the summit, which they assert they had occupied since last April.

The French claim that they have not only advanced in their positions substantially, notwithstanding the fact that the Germans succeeded in recouping some of the trenches they had lost, but forestalled in a measure an offensive for which the Germans had been preparing in the Vosges.

General von Emmich Dead.
Berlin, Dec. 23.—(By wireless to Asheville.)—The death at Hanover of General von Emmich, the conqueror of Liege, is announced by the Overseas News agency.

General von Emmich died of arterio-sclerosis.

QUIET NIGHT IN WICKED JUAREZ

Under Carranza Control City Is Peaceful; Gambling and the Disorderly Resort Houses Closed.

RODRIGUEZ ATTITUDE CAUSES UNEASINESS

Carranza Troops Kill and Capture Force of 900 Villa Soldiers — Villa's Whereabouts Still Unknown.

El Paso, Tex., Dec. 23.—General Alvaro Obregon, Carranza's commander in chief in northern Mexico, who arrived here last night from Nogales, Sonora, said he would go to Juarez, just across the border, late today.

Juarez passed its first night under Carranza control peacefully and with less bustle than is characteristic of its night life. Gambling has ceased, disorderly resorts have closed and the "wickedest town in Mexico" is dull and respectable to the average tourist. Constitutional currency, which is issued to the soldiers, now has a purchasable value.

The only uneasiness felt in the town and feared by the de facto government was the attitude of General Jose Rodriguez as to his surrender and the whereabouts of General Villa.

General Manuel Banda is attempting by emissaries to secure the adherence of Rodriguez to the agreement.

The telephone line to Casas Grandes where Rodriguez is stationed with 1,200 men, has been repaired, but there are no operators. General Porfirio Rodriguez, commander of troops trains which yesterday brought the last of the Chihuahua garrison to Juarez, stated that Villa had sent Rodriguez forces of more than 200 men as a vanguard to the Bustillos ranch, west of Chihuahua City, when Villa determined to leave the capital.

Instead of preceding General Villa to the Bustillos ranch Rodriguez said that force had circled back to the city and barely had time to entrain for Juarez before the vanguard of Carranza troops arrived from the south.

Rodriguez said he had burned a bridge 30 miles north of Chihuahua City to delay pursuit by the Carranza troops until he could get to Juarez to surrender.

Laredo, Texas, Dec. 23.—Carranza troops under General Trevino engaged what remained of the Villa army in battle Tuesday and yesterday at Matamoros, ten miles outside Chihuahua City, inflicting a severe defeat. Nine hundred Villa soldiers were killed, wounded, or taken prisoners, according to advice to Carranza officials in Nueva Laredo last night.

The Carranza losses were said to have been small.

General Thevino, with his soldiers who have advanced rapidly in Chihuahua, during the past ten days, encountered the Villa soldiers moving southward. A fierce battle ensued, in which no quarter was shown. The Villa soldiers fought desperately and the battle lasted all Tuesday afternoon and was prolonged through the night until the Villa troops surrendered in the morning. The streets of the village of Matamoros were strewn with dead when the firing ceased.

The leader of the Villa soldiers was not learned. Troops engaged were said to have been the remnants of a force until recently operating in Sonora.

El Paso, Texas, Dec. 23.—The de facto government of Mexico, is making progress in assumption of civil and military authority in the territory surrendered recently by followers of Francisco Villa, according to reports reaching here from various sources. Villa's whereabouts were still unknown here.

W. M. Ritter Company
TO BEGIN DEVELOPMENT

HOUSE MISSION 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. 23.—President Wilson said yesterday 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.

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.

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

Great Interest.

Washington, Dec. 23.—The announcement by Colonel E. M. House of New York, President Wilson's close friend and confidential adviser, that he would go to Europe soon at the request of President Wilson and Secretary of State Lansing, has caused a great deal of interest in official and diplomatic circles here.

Secretary Lansing confirmed the announcement of Colonel House but declined to add anything to it.

Colonel House's statement declared that the sole object of his mission would be to take to the American ambassadors at the capitals of belligerent nations certain information in regard to this government's attitude on international questions.

Colonel House denied that he was going on a peace mission. Officials today declined to discuss Col. House's mission owing to its delicate nature, nor would they make any response to questions as to what effect his mission might have on the prospects of peace.

The trip will be the second Colonel House has made to Europe since last spring when he visited Germany, England and France and talked with high officials in those countries.

At the time of his first trip it was reported that he was acting as the president's emissary and went on a peace mission. This Colonel House denied, although later he reported to the president on the state of public opinion abroad.

While what Colonel House told the president has never been made public, it was learned that his picture of the situation did not change the president's belief that the time was inopportune for initiating a peace movement.

GERMANY PROTESTED AT ARMENIAN MASSACRES

Boston, Dec. 23.—The German government on August 9 filed at Constantinople a protest against the Turkish treatment of Armenians, according to Dr. James L. Barton, chairman of the national committee for Armenian and Serbian relief, who has made public the text of the protest.

In a statement, Dr. Barton, speaking for the committee, says that Count Ernst von Reventlow, a German naval expert, in a recent statement, published in the Tages Zeitung in Germany and cabled to the United States, strongly defends Turkey's massacre of the Armenians on the basis of military necessity and adds: "One wonders whether von Reventlow knows that throughout the length and breadth of the Turkish empire, after the men (who only were capable of revolution, but who, according to every known evidence, did not revolt) had nearly all been disposed of, the attack fell upon the widows and orphans, who were driven from their homes by hundreds of thousands, at the point of the bayonet."

ALLIES SCORED BY SKOULOUDIS

Greek Premier Strongly Criticizes Entente Powers in Their Treatment of the Greeks.

FLOUTED AND ANGERED GREECE, HE INSISTS

Declares Greece Has Tried to Follow Wishes of Allies, and Blames Allies for Failure.

London, Dec. 23.—The daily Chronicle's Athens correspondent under date of Sunday sends an interview with the Greek premier, M. Skouloudis, involving the strongest criticism of the diplomacy of the quadruple entente powers in the Balkans. The Greek premier complained bitterly that his country had been magnified and his government attacked.

"But," Mr. Skouloudis is quoted as having said, "the fault is not ours. We tried to play the game as you English say, and if we failed, it is the entente, not we, who are responsible."

Declaring with emotion that he had earnestly tried to see eye to eye with the entente powers and to avert having said, "the fault is not ours, bloodshed in Macedonia, M. Skouloudis said:

"The allies have flouted and angered Greece instead of placating her. Instead of dealing openly with us they coqueted with Bulgaria while treating us disdainfully. The result is that they have fatten between two stools. If the allies had come frankly to Greece and asked her aid and told her that she could count on a clearly defined recompense at the end of the struggle I affirm that Greece would not have hesitated for a single moment."

"Instead of this England and France began by demanding sacrifices from Greece. We were asked to co-operate in the Dardanelles and at the same time to relinquish Kavala and Seres to our bitter foes; to give up, in fact, our richest provinces which had been won by Greek blood."

"We were free to shed our blood in an attempt to force the Dardanelles, but we were warned that on no account must we dream of marching to Constantinople in the event of an allied success. In fact, it was expressly forbidden in the event of our success for the Greeks to show their national flag within fifty miles of the ancient Byzantine capital."

Remembering that the Greek had not forgotten Gladstone and Great Britain's noble labors in the past in behalf of Greece, Premier Skouloudis continued:

"You have bullied us and we turned the other cheek uncomplainingly. We honestly sought to aid you, and proffered you aid which you rejected."

Stating that the Greek staff had offered a plan by which the Dardanelles might have been forced, but that the allies refused the advice, Premier Skouloudis contended that in allowing the entente allies to come to Saloniki, Greece had gone to the utmost limits of friendship, but had been treated with such humiliation in turn that she had been almost goaded into hostilities against the entente.

Then coming to the existing situation with the possibility of an Austro-German and perhaps a Bulgarian invasion, the premier concluded:

"So as I see it Greece is to be ravaged by a cruel, relentless war because the entente allies have badly blundered in a diplomatic as well as a military sense."

GEN. MURRAY IN COMMAND

London, Dec. 23.—Lieutenant General Sir Archibald Murray has been appointed as the successor of Sir Charles Munro, British commander at the Dardanelles, says an official statement.

General Munro is appointed to command the First British army in France, to succeed Sir Douglas Haig, who was appointed commander-in-chief of the British army in the west, succeeding Sir John French.

NO RECORD IN 75 DIVORCE CASES

Discovery Made in Superior Clerk's Office That Costs in Many Have Never Been Paid to the Court.

INTERESTING POINTS OF LAW ARE INVOLVED

Judges Signed the Order But Would Allow No Entry Until the Clerk Had Received the Costs.

If a trial judge in Superior court grants a divorce to a couple, but tells the clerk of the court that the costs in the case must be paid before the decree is entered as part of the court records, and the costs are not paid by the parties, has a divorce been granted? This question is puzzling the minds of the court officers here and many prominent attorneys have given their views on the question.

A recent investigation of the records in the office of the clerk of the Superior court of Buncombe county discloses that there are approximately seventy-five cases in which actions have been instituted for divorce, and prosecuted to a final determination, the final decree signed by the trial judge, delivered to the clerk with instructions not to make the decree a matter of record until the cost of the case was paid.

It does not appear of record that a final decree based upon the issues, was presented at all. It is now a matter of conjecture as to what status the parties, plaintiff and defendant in these actions, occupy as the cases cover a period of approximately ten years.

In one case the issues were answered in favor of the plaintiff, but it does not appear of record that a final judgment in the case was either presented or signed. The defendant thereafter married and out of the union, three children were born. At this time the defendant in the case is dead, and the court will probably be asked to determine the status of the property rights of the heirs-at-law.

Another interesting question arises on these records as to whether the clerk of the court would be authorized to enter judgments in some of these cases upon the records upon the payment of the costs, owing to the fact that the term of court at which the cases were tried expired by limitation years ago, and of course the trial judge has left the district and the number of the district has been changed by legislation.

An attorney stated to a representative of The Gazette-News today, that in his opinion, by the greater weight of authority, the majority of these actions were of no effect for the reason that the cases were abandoned before a final determination was made in a court of competent jurisdiction. He said that the signing of a final decree by a trial judge and delivering the same to an officer of the court to be made a matter of record upon the fulfillment of a condition precedent, that is to say, the payment of the costs, could not be construed to be a final determination of the case in any instance where the costs were not paid before the expiration of the term of court at which the case was tried, and that as a matter of law, in those instances where a judgment final upon the issue was not presented to the court at the proper time, the case failed by reason of the failure of prosecution.

Many interesting questions of law are involved in these cases and the profession, as well as the laymen, of the state will watch the developments in these divorce cases with much interest.

CASUALTIES OF BRITISH AT DARDANELLES 112,921

London, Dec. 23.—The British army's losses in officers and men at the Dardanelles up to December 11 was 112,921. The grand total of officers and men including the naval list of killed, wounded and missing contained killed to the number of 25,279. In addition to the number of casualties the number of sick admitted to hospitals was 96,642.

The losses are distributed as follows: Killed: Officers, 1699; men, 23,670. Wounded: Officers 2949; men, 72,322. Missing: Officers, 337; men, 12,114.

ENNELLY IS HELD ON ASSAULT CHARGE

Greensboro, Dec. 22.—F. Ennelly, a travelling salesman of Troy, N. C., was held for grand jury consideration today by the municipal court on the charge of criminal assault. The prosecuting witness is a Mrs. Suttle of Asheville.

NO WARNING TO GOV. IS SANTA JAPANESE SHIP FOR "TRUSTIES"

Steamer Yasaka Maru Sent to Bottom by Submarine Without Warning, So Owners' Agent Reports.

PASSENGERS INCLUDING ONE AMERICAN SAVED

Early Reports Referred to Steamer as Having Been Sunk by German or Austrian Submarine.

London, Dec. 23.—The new Japanese liner Yasaka Maru, which was sunk in the eastern Mediterranean sea on Tuesday by a submarine while on the way from London to Japan, carried 120 passengers and a crew of 160. The Yasaka Maru was sent to the bottom without warning, according to a report from Port Said from the agents of the owners. All aboard the vessel, including one American, W. J. Leigh, were saved.

The nationality of the submarine which sunk the ship was not mentioned by the agents and previous reports referred to the sinking of the Yasaka Maru as having been done by an Austrian or German submarine.

The Yasaka Maru was sunk on Tuesday afternoon. A French gunboat picked up the passengers and crew at midnight and landed them at Port Said on Wednesday morning. The steamship company provided hotel accommodations for the passengers and promised to forward them to their destination.

On the passenger list were 51 men, 54 women and 15 children, most of them of British nationality.

The agents of the line in reporting the disaster said that the passengers expressed great admiration for the skill of the captain and officers and for the discipline of the crew. Perfect order prevailed during the debarkation, which was carried out with great promptitude.

Tokio, Dec. 23.—News of the sinking of the steamer Yasaka Maru, by a submarine, which reached Tokyo today, caused great excitement.

London, Dec. 23.—W. L. Leigh, an American citizen who was aboard the Yasaka Maru, when the steamer was torpedoed by a submarine, was born in China. His father was a Californian. Mr. Leigh has spent most of his life in China, but recently has lived in England. He was returning to China on the Yasaka Maru to take a position with a business house. His family are in London. Mrs. Leigh has received a cable message saying that her husband is safe.

MR. BRITT NAMED ON CAMPAIGN COMMITTEE

Republicans Are Reorganizing the Committee for Campaign Next Year.

Gazette-News Bureau
The Riggs Building
Washington, Dec. 23.

Reorganization of the republican congressional campaign committee for the 1916 campaign for congress is progressing through the selection from time to time by the state delegations of their committeemen and will be effected early in January by the selection of officers at a joint meeting of house and senate republicans. The following committeemen have been chosen: Representative J. J. Britt, of North Carolina; Representative Julius Kahn of California; Representative Charles B. Timmerlake, of Connecticut; Representative John W. Tilson, of Maryland; Representative Sydney E. Mudd, of Massachusetts; Representative Samuel E. Winslow, of Michigan; Representative L. C. Cramton, of Nebraska; Representative N. P. Kinkaid, of Nevada; Representative E. E. Roberts, of New Jersey; Representative W. J. Browning, of New York; Representative George W. Fairchild, of Ohio; Representative E. B. Foss, of Oklahoma; Representative Dick T. Morgan, of Oregon; Representative N. J. Sinner, of South Dakota; Representative Charles H. Dillon, of Tennessee; Representative R. W. Austin, of Virginia; Representative C. B. Slemmons, of West Virginia; Representative Howard Sutherland, of Wisconsin; Representative John J. Esch, of Wyoming; Representative Frank W. Mondell, of Hawaii; Delegate Kalaniana'ole.

Several senators will be on the committee when its full complement is made up, and also constitute part of the executive committee. The chairmanship of the new committee is yet to be determined. Representative Frank P. Woods, of Iowa, is chairman, but has not announced whether he will stand for re-election or not.

Small Fire.
The firemen were called to No. 127 Park avenue, the house occupied by Chief of Police L. E. Perry, at 10:05 o'clock this morning, by a small fire on the roof. The damage was very small.

Sheriff E. M. Mitchell Received Order to Allow "Trusties" Friday, Saturday and Sunday as Holidays.

ABOUT 25 WILL BE ALLOWED PRIVILEGES

Sheriff and Chairman Johnson Visit Camps Today to Pick Out Men Who Can Be Allowed to Visit Home.

At 1:30 o'clock The Gazette-News received information that the county commissioners at a meeting to be held at 3 o'clock will vote that no "trusties" can be allowed to go home, but that all prisoners will be allowed the holidays mentioned by the governor, but cannot leave the camps or jail.

Sheriff E. M. Mitchell last night received an order from Governor Locke Craig to give every "trusty" in the county jail and at the two convict camps of the county, holidays on Friday, Saturday and Monday, if the convict had been a trusty for 10 days prior to the date of this order, which was signed in Raleigh early yesterday morning.

This is done in order that the men may visit their homes and spend three days of the Christmas holidays with the members of their family. The order is supplemented by another to give to all prisoners in Buncombe county holiday for the same period so that the "trusties" would receive no longer rest than those whose crimes or conduct make it impossible to give them the liberty allowed those who have the greater confidence of the county authorities.

Visit Camp.
Sheriff E. M. Mitchell and Chairman W. E. Johnson of the county board of commissioners left at noon for the two convict camps, at Sandy Mush for the white convicts and Newbridge for the colored prisoners, where they expect to consult with the camp captains as to the men who will be allowed liberty for three days.

It is expected that about 25 convicts in Buncombe county will thus benefit by the Christmas gift of the governor and be allowed to visit their people for three days. Two men who are confined at the county jail, Will Swink and O. K. Wainwright, are the only "trusties" there and they will be given liberty for the time specified. Wainwright was only recently brought in from the white camp, as he is said to be too ill to work. There are about 42 other prisoners in the county jail, but it is thought today that none of the others will be given advantage of the governor's offer.

At White Camp.
At the white camp, located on Sandy Mush, there are about 35 white men, and while the officers did not know today how many would be allowed to leave, it is expected that eight or ten of the men there will be given a chance to visit home. Only recently 13 men escaped from this camp and as all of those who were permitted to come home for Christmas.

In the colored camp, located at Newbridge, there are about 80 men, this camp have recently been consolidated with the other colored camp. It could not be learned how many of the colored convicts would be permitted to come home, but Sheriff Mitchell stated that perhaps about 10 had so conducted themselves that they could be allowed to leave.

The Order.
The same order applies to all prisoners in North Carolina, as each of the other counties received a copy. The order, in full, follows:

"To the superintendent of the state's prison; the sheriffs of the counties of North Carolina and to the officers in charge of convict camps and forces. Greetings:

"You are hereby authorized and requested to allow each and every prisoner who is and has been a trusty for 10 days prior to this date to return to his home or other place chosen by him, and to remain away from the camp or prison during Friday, Saturday and Sunday, the 24th, 25th and 26th of December; provided such trusty pledge his honor and satisfy the officer in charge that he will return by 12 o'clock on Monday, December 27."

"You are further authorized and requested to give all of the prisoners in your charge a holiday on Friday, Saturday and Sunday, the 24th, 25th and 26th of December.

"You are furthermore directed and requested to report to me on or before the first day of January your action in accordance herewith and the results, and the names and conduct of each prisoner paroled."