

Fair tonight and Sunday. Not much change in temperature. Gentle to moderate northeast winds.

NOTE EXPLAINING PEACE EPISTLE IS SENT KAISER

Secretary Lansing Refuses to Comment on Statement Given Out in Berlin.

OTHER OFFICIALS DENY NOTE IS SENT.

Declare Berlin Refers to Lansing's Statement As Note Was Forwarded.

Berlin, Dec. 29. (Via London, Dec. 29.)—It has been learned that a few days ago President Wilson sent a separate note explanatory of the first note sent to the Central powers. The note has not been presented, however.

Secretary Lansing refused to comment on the report that a second note had been sent to the Central powers and their allies to correct a misinterpretation of the President's peace note. Other officials declare, however, they are sure that no second note has been sent.

Berlin dispatches refer to the true statement of Secretary Lansing issued the day after the original note as indicating that "nothing will be said" about the note in view of the President's and Lansing's "silence policy." Secretary Lansing would make no statement either denying or affirming the statement from Berlin.

It is felt that much misunderstanding might arise in the popular mind, but it is held that the various governments addressed will not be influenced except by officials.

It is known that these statements have been transmitted to American diplomats to acquaint them fully with what has taken place.

Secretary Lansing has been most emphatic ever since his statement in regard to the peace note was published.

Intimation that the misunderstanding abroad was partial in the public mind and might be dispelled by officials from here if they choose is made. However, it has been said that no matter what public understanding at present, this situation will eventually clear.

FIXING IT ALONG ALL NEW LINES

That Is The Aim of The First Philippine Congress' Present Work.

Manila, P. I., Dec. 30.—The work of the first Philippine Congress is largely concerned with reorganization of the government along more independent lines. Heretofore all legislative measures in the Philippines have begun with the words, "By authority of the Congress of the United States, be it enacted by the Philippine Legislature." One of the first measures passed by the new insular Congress was a change to read, "The Senate and House of Representatives in Congress assembled, do hereby," etc., meaning, of course, that the Filipino Congress is now acting on its own authority.

A bill for the organization of six executive departments has passed both Houses of Congress. The departments are those of public instruction, interior, finance, justice, agriculture and natural resources, and commerce and communications. The department of public instruction is to be headed by an appointee by the President of the United States who will be vice-governor of the Philippines, and the insular Congress will have no voice in his naming, but the other departments may be headed by local appointees who will probably be selected from the Filipino Congress. The bill provides that the bureau of civil service shall be under the direct control of the governor-general, a measure designed to keep the bureau from the contamination of politics.

The new department heads will comprise the cabinet of the governor-general and be responsible to him, but their presence may be required by either House of Congress which, in this way, hopes to keep final control of their actions in its own hands. The Congress is endeavoring to avoid "filibusters" and the Senate has adopted a rule that no member may use more than three hours in speaking on a measure after two Senators of the minority have spoken, and a vote of the majority may close the debate.

LAND DISPUTE TO BE TRIED AGAIN

Supreme Court Orders Retrial of Vanderbilt-Chamam Case, in Buncombe

Raleigh, N. C., Dec. 30.—Mrs. Edith S. Vanderbilt's suit against S. F. Chamam and others involving 465 acres of land will again be tried in the Buncombe county court, the Supreme court ordering a new trial after Mrs. Vanderbilt had won before Judge Adams, in August.

Action was brought to recover possession of land and to remove a cloud from Mrs. Vanderbilt's title. She showed a proper paper title to the 465 acres and the title went back to 1796 when David Grant received it by state grant. Mrs. Vanderbilt also proved that she had a proper paper title by conveyance.

The defendant set up adverse occupation for seven years under color of title to 169 acres within the boundaries of Mrs. Vanderbilt's tract, which, it is alleged, was a portion of a piece of land described and contained in a deed for it from W. E. Lane, who had a prior grant covering the property, to Richard Ledbetter. On the issues submitted the jury decided that Mrs. Vanderbilt was the owner in fee and entitled to the possession of the land described in the complaint; that the defendants wrongfully entered into the possession of those lands under claim of title; that the defendant's claims of title constitute a cloud upon the title of the plaintiff, but the plaintiff is not entitled to recover any damages.

Justice W. R. Allen writes the opinion for the court and goes into the long will of Richard Ledbetter. The court finds error in the ruling of the trial judge that the defendant could not avail himself of Z. R. Ledbetter's occupation of the property as being under color if he entered and held the same as his father's executor. "While we are disposed to concur in his Honor's view that the will in question did not convey the estate to the executor but only a power of sale (Ferebee vs. Proctor, 19 N. C. p. 439) and while there are cases to the effect that there is no privity between the heirs of the deceased owner and his personal representatives in reference to real estate," the court continues, "these authorities will be found to refer more generally to a privity of estate or title and have no application to the facts of this record, tending, as they do to show that Richard Ledbetter, having bought and taken a deed for his property and entered thereon during his life time, directing his son, who then, to some extent managed business of this kind for him, 'to hold possession under the Lance deed.'"

The court then further finds that Richard Ledbetter died leaving the power of sale to the son and vesting him with estate enough to carry out this purpose; that the son "entered claiming ownership under the will, and in the assertion of his father's title, exercising possession continuously from his death in 1903 to 1914 and that said executor was one of the testator's heirs-in-law. True, there is much testimony to show that there was no continuity of possession on the part of the adverse claimants and that neither the occupation of the father and son nor of both together was of character and extent sufficient to mature title, but there is very little conflict of evidence as to how the executor claimed while he was in possession, to wit, that he was there under the will, asserting ownership for the benefit of his father's estate and, if these facts are accepted by the jury and were continued and of a kind sufficient to mature his title, there would be much privity of claim and possession between himself and father as would justify referring his occupation to the original entry and give him the benefit of his father's deed on color of title."

W. E. Worley and others against J. R. Boyd and the board of county commissioners of Haywood, and Verge McClure and others, road commissioners of Beavertown township, is a petition for mandamus to make both boards act in the assessment of damages, by a jury agreement, done to plaintiffs' lands by reason of a road.

There was a judgment directing the board of county commissioners to proceed and have damages assessed, reserving the question as to who should pay the same. All parties appealed. Judge Hoke writing the court's opinion modifies and affirms the judgment with the order that the damages shall be paid out of the general county road fund and the costs of the appeal paid in like manner.

PAPER COST HITS MAGAZINES HARD

Several Publications in New York Increase Subscription Price—Many Close.

New York, Dec. 30.—Owing to the increased cost of white paper and other materials necessary to printing and art, several magazines of National circulation announced today increases in subscription prices. Other magazines have already given notice of similar action.

Several of the smaller magazines in New York have suspended publication and others are planning to merge with publications controlled by the same interests.

Publishers explained that many of them had to renew their contracts for paper at this time and had to pay nearly 50 per cent. more than this

12 ARMY PLANES START BIG FLIGHT

Machines Leave Hampstead, N. Y. For Navy Yard at Philadelphia.

Hempstead, N. Y., Dec. 30.—A flight to the League Island Navy Yard at Philadelphia was begun here today by United States army officers and civilians in twelve aeroplanes. Some of the machines carried passengers. The navy will make a similar journey tomorrow.

TO GREET THE WORLD BY WIRELESS.

San Diego, Cal., Dec. 30.—New Year greetings from San Diego to London, Berlin, Paris, Vienna, Budapest, Tokio and the South American capitals will be flashed direct from here by means of the 150-kilowatt naval radio station at midnight tomorrow night, according to plans perfected by the officers in charge of the big plant. The new station located at Chollas Heights three miles east of San Diego, is more powerful than the naval station at Arlington, officers declare, and no difficulty is expected in transmitting wireless messages to nearly all parts of the world.

SECURE YOUR VOTES NOW AND RIDE IN CAR LATER

All Candidates Now Realize They Must Work For Subscriptions—Last Coupons Good For Ten Votes Appeared Yesterday—Coupons Now Appearing Good For Only Five Votes Each.

- THE PRIZES. \$685 Overland Automobile. Ford Automobile. Carolina Beach Lot. \$100 in Gold. \$75 Victrola. \$50 O. K. Mystic Range. \$40 Sellers Kitchen Cabinet. \$25 Wrist Watch. Two \$60 Diamond Rings.

As each day passes in the greatest Voting Contest that Wilmington and surrounding territory has ever seen, the candidates themselves, as well as the entire public, are beginning to realize that it is subscriptions that count the most votes after all.

There are some of the candidates who assumed leading positions at the start simply by clipping the ten-vote coupons appearing in the paper each day. The coupons have been reduced to five votes each now, beginning with today, and these same candidates will be at a loss to know just how to keep up in the list, unless they get out and hustle for subscriptions.

If you are one of these candidates then now is the time to start your campaign for subscriptions. One yearly subscription (or the equivalent in smaller payments) turned in by next Wednesday night will give you 15,000 extra votes, and if this is your first subscription you will also receive the 25,000 extra vote ballot. If you secure and turn in three yearly subscriptions, or equivalent in smaller payments, by next Wednesday

NORFOLK SOUTHERN IS IN GOOD ORDER

Colonel Leard Completes His Tour of Inspection Over Railroad.

New Bern, Dec. 30.—Col. H. S. Leard, general passenger agent of the Norfolk Southern Railway Company, who is on an inspection trip, left New Bern this morning for Raleigh, where he will spend a few days before returning to his home at Norfolk. Colonel Leard stated that he was out on a tour of the road and that he had found everything in good condition. Accompanying him was Mr. J. F. Mitchell, general passenger agent of the Norfolk Southern.

Court officers are now getting the docket in readiness for the next term of Craven County Superior Court, which is to be held in New Bern beginning January 8. Criminal cases are to be taken up at this session and there are now a large number of these on the docket. Many of the offenders are confined in the county jail awaiting trial. So far there has not been a single capital crime entered on the docket and if such turns out to be the case it will be the first January term held in several years which has not contained one or more cases of this kind.

The holiday season is fast nearing its close and Prof. H. B. Smith, superintendent of the New Bern public schools, is getting in readiness for the opening of the Spring term on January 2. The fall terms, which came to an end a week ago, was one of the most successful in the history of the local schools, and Prof. Smith and his assistants believe that the approaching terms will be even more of a success and that the attendance will be larger.

OAKLAND TO WELCOME THE NEW YEAR.

Oakland, Cal., Dec. 30.—A Spanish bell bearing the date 1237 will ring out the old and ring in the new at Oakland's New Year's eve celebration tomorrow night. This ceremony will be the finale of the production of "The Messiah," by the Alameda County Chorus in the million-dollar municipal auditorium. Preceding the oratorio a pilgrimage will be made to the top of Mt. Diablo, where farewell will be sung to the last sunset of 1916 and a dance symbolic of the birth of the new year will be performed.

ALLIES ANSWER TO GERMAN NOTE WILL BE GIVEN TONIGHT

Note is Long and Again Sets Forth Responsibility of Teuton Empire.

TO BE PRESENTED TO AMBASSADOR SHARP.

Restitution, As Outlined By Lloyd-George, Is Demanded By The Entente.

Paris, Dec. 30.—The Allies answer to the German note of Dec. 12, will be handed to Ambassador Sharp tonight, says the Petit Parisien. It will be published tomorrow.

The note is long and sets forth again the responsibility of the central empires. Reparation is insisted on. Restitutions outlined by Premier Lloyd George are demanded by the Entente. The note says that Germany, by failing to formulate proposals for peace removes in advance any basis for co-parlous.

SERIOUSLY HURT BY FALLING TREE

Fifteen Year Old Boy Had Scalp Laid Open Yesterday Afternoon.

George Spencer, fifteen years of age, was seriously hurt yesterday afternoon when a medium sized oak tree he was chopping down in the rear yard of Schutt's drug store, corner of Sixteenth and Market streets, fell across his head. He was carried to the James Walker Memorial Hospital for treatment and a report from that institution at noon today was to the effect that he was resting comfortably. A gash two and a half inches long and a quarter of an inch wide was laid open on the crown of the youngster's head by the tree. The accident occurred at 4:30 o'clock.

Mr. Theodore Schutt with whom the Spencer boy lives, stated this morning that he had advised him against felling the tree but because it was dead and unsightly young Spencer insisted upon its removal and while his attention was attracted elsewhere yesterday afternoon the boy, who is an orphan, got busy with his axe and soon had the tree chopped sufficiently to topple it to the ground. Because he was working from the top of the woodhouse he was unable to escape and was struck on the head by the falling tree.

ANNUAL MEETING OF W.O.W. IS ON

Jacksonville, N. C., Dec. 30.—Members of local camp Woodmen of the World, over 65 strong, entertained their friends in a pleasant manner last evening, when they gave an annual banquet.

Congressman George E. Hood was to be present and make an address, but an unavoidable accident prevented this part of the program. Sheriff E. H. Walton made a few remarks in praise of Woodcraft. Violin and piano music was furnished. Cream and cake was served to about 200 guests.

The banquet was given in the court room. It is said that this was one of the most pleasant events that has happened in this town during the year.

EXTRADITION CASES ARE NOW NO MORE.

London, Dec. 30.—One of the effects of the enforcement by the United States of more stringent passport regulations, is that there are no further extradition cases of Americans from England.

During many years before the war there were a substantial number of such cases, so many that dealing with them constituted an important division of the work of officials at the embassy. So well have the new regulations governing the issuing of passports served the cause of justice that during the current year there has not been a single case of an American criminal or suspect being arraigned at Bow Street police court for extradition.

DAMAGE BY QUAKE WAS CONSIDERABLE

One That Shook Part of Japan Did More Than Was First Thought.

Kobe, Japan, Dec. 30.—Damage caused by the earthquake of Sunday, November 25, which was briefly reported by cable, was considerably greater than was first indicated.

The city of Kobe, one of the most beautiful places in Japan, stretching along the waterfront at the foot of picturesque mountains, found, after the subsidence of the shock, that a majority of its residences on the hillsides had suffered great damage. In this section are some of the finest houses, both Japanese and foreign, and many of them were so shaken that roofs fell in and walls tumbled into the streets.

It was the most severe shock experienced in Central Japan in twenty-five years. In Kioto, the big railroad station lost most of its windows and the walls sagged in several places. The disturbance was accompanied by a roar, like the booming of a great cannon, with a heated, oppressive atmosphere, which caused an even greater panic than the damage justified. No one was killed and no buildings were entirely demolished, but cracked walls and dislodged chimneys were general throughout Central Japan.

A party of tourists who were spending the afternoon on the famous Rokkosen mountain just behind the city of Kobe, are responsible for the story that they saw one of the neighboring hillsides move during one of the earth tremors.

Some of the Japanese earthquake experts believe the disturbance was due to the subsidence of subterranean fissures below the sea-bottom off the city of Kobe.

DEER GALORE AT CATHERINE LAKE

Five Very Fine Specimens of Fleet-Foot Tribe Are Bagged By Hunters.

New Bern, Dec. 30.—Messrs. E. H. Meadows, Jr., Edward Clark, Sam Dill, Allie Cook, E. Miller, of Baltimore, and Clarence Watkins and B. H. Thompson, of Aura, have returned to the city from a hunting trip in the section around Catherine Lakes, and they report that deer in that part of the State is plentiful. The members of the party succeeded in bringing down five specimens of the fleet-footed tribe within the course of twenty-four hours and say they could have probably increased this number had they spent another day there.

Although complete reports have not been made, it is known that the amount of building done here during the past twelve months has exceeded that done during any similar period in many years. New Bern has, in fact, enjoyed an embryo building boom during the present year and a large number of dwellings and business houses have been erected. Contractors say that the amount of building to be done during the coming year will be even greater than that done during the past twelve months.

Stewards representing the various Methodist churches in the New Bern district are holding the annual meeting in New Bern today and at this time the assessments for the year are to be made. The meeting is of unusual interest in many ways. The result of the conference is eagerly awaited by the members of the various churches.

A marriage of interest to the many friends of the contracting parties took place at Stonewall on Tuesday, when Miss Florence Casey, of that place, became the bride of Mr. C. R. Oliver, of Pollocksville. The ceremony was performed in the presence of a few relatives and friends, after which the happy young couple left for Pollocksville, where they will make their home.

Two Jewish Governors.

Denver, Col., Dec. 30.—The New Year will find two of the States of the Union ruled by governors of the Jewish faith, for the first time in the history of the country. In Idaho Governor Moses Alexander is about to begin his second term, and on New Year's Day Simon Bamberger will be inducted into the office of chief executive of Utah. Mr. Bamberger will have the additional distinction of being the first Democrat to fill the gubernatorial chair in Utah.

Did Miss Swift get a run-about for Christmas?

Well, she married Reggy De Fast on that day.—Exchange.

RUSSIANS MAKING HEAVY REAR GUARD MOVE IN BIG CLIMB

German Army Headquarters Declare von Mackensen's Armies Advance.

RUMANIANS AND RUSS RESISTING STRONGLY.

Kaiser's Men Attacking at The Same Time On The Moldavian Front

The Russians and Rumanians are making a heavy rear guard action as they reach higher towards the line of the Sereps in northeastern Wallachia and southern Moldavia.

Today's German army headquarters reports show steady progress for Field Marshal von Mackensen's armies along the entire front despite the strong resistance they are encountering. At the same time the attack on the Moldavian front is developing.

LONG LAW SUIT HAS JUST ENDED

One of The Longest in History Concluded in England.

London, Dec. 30.—The longest and one of the most unique lawsuits ever heard in the English courts has just been decided. It involved the ownership of £2,500,000 in gold which the Amalgamated Properties of Rhodesia, Ltd., owners of a million acres in Rhodesia, claimed that the Globe and Phoenix Gold Mining Company, which owns the richest gold mine in the world, had taken from the Rhodesia property. As if to be consistent the court occupied two hours in delivering judgment.

The case lasted 144 days and cost \$750,000. One witness was on the stand sixteen days and another who was on the stand almost as long died. Two other men who were interested in the case died before it was concluded.

More than 50,000 questions were put to witnesses and answered. In the final summing up counsel for the defendant spoke for 45 days. Chief counsel for the defense received a fee of \$5,000 and his "refresher," or daily charge was \$500.

The documents in the case were so voluminous that two large rooms were crowded with maps, assays and reports. The proceedings were enlivened by stirring scenes between opposing counsel and apologies were ordered by the court.

In deciding the case, Justice Eve dismissed the action on the ground that the Amalgamated Properties had failed to prove that the gold was extracted from its mine which adjoined that of the Globe and Phoenix.

COLONEL HAS ASSUMED EXTRA HEAVY BURDEN

El Valle San Buena Ventura, Mexico, Dec. 30.—Responsibilities usually assumed by brigadier generals have fallen to the lot of Colonel W. H. Allaire of the Sixteenth Infantry, present commander of this camp, the most southern of the American Punitive Expedition. Colonel Allaire, who is the only regimental commander of the ten who entered Mexico with the expedition last spring, to retain his command, not only has his regiment and the camp, but heads the Eighth Infantry Brigade and directs maneuvers for one cavalry and two infantry regiments, several batteries of artillery, a company of engineers, a signal detachment and an aero squadron. Holding the most exposed part of the American line, the point Villa is expected to attack should he carry out threats he is reputed to have made against the expedition, the colonel not only has to keep out patrols but must direct the work of the intelligence department, the chief duty of which is to keep in touch with the bandit's movements. The task of keeping several thousand red-blooded soldiers healthy and as contented as may be in this desolate spot, also taxes his ingenuity to the utmost. A constant source of potential trouble is the town of El Valle, whose 4,000 residents formerly were considered Villa sympathizers, and where there now is a Carranza garrison. This town is less than two miles from the American camp and strict precautions must be taken to avoid clashes.

A fool and his money are soon parted. Yep. Who got yours away from you?—Exchange.