

The Asheville Gazette News.

ASHEVILLE, N. C., FRIDAY AFTERNOON, DECEMBER 17, 1915.

WEATHER FORECAST.
CLOUDY; PROBABLY RAIN.

PRICE 2 CENTS—On Trains 5 Cts.

REPLY OF AUSTRIA TO THE ANCONA NOTE HAS REACHED WASHINGTON

Work of De-Coding Immediately Begun; To Be Laid Before President and Members of the Cabinet.

WASHINGTON WILL NOT PROLONG DISCUSSION

News Dispatches Had Prepared for Unfavorable Reply to U. S. Note.

Washington, Dec. 17.—Austria's reply to the American note in regard to the sinking of the Ancona, was received at the state department during the night and early this morning was being de-coded to be laid before President Wilson and Secretary Lansing. A dispatch from Ambassador Penfield at Vienna, evidently delayed in transmission, was received just ahead of the reply. The dispatch said that the reply had been delivered to him by the Vienna foreign office on Wednesday at noon and that he had immediately forwarded it to the state department.

The note as received by the state department is about 1,000 words in length. Translators began work on it at once, to have the text ready for Secretary Lansing to take to the meeting of the cabinet at 11 o'clock today.

President Wilson and Secretary Lansing are reserving comment until they have the official translation of the text at hand, but it is stated authoritatively that the United States will enter upon no exchange of opinion with the Vienna foreign office in regard to the facts of the sinking and shelling of the Ancona by an Austrian submarine with the loss of American lives.

It was made clear that the United States does not propose to enter a diplomatic discussion which would have the possibility of prolonging the controversy almost indefinitely.

The outline of the reply was disappointing because some American officials had been led to believe by press statements in Germanic quarters that it would be favorable or that at least it would propose something which the United States could accept. As Secretary Lansing based his representations on the official statement of the Austrian admiralty, American officials are at a loss to understand where there could be much room for discussion or dispute of facts.

News received from Vienna recently that the submarine was missing had led some officials here to believe that a new element would be introduced in the dispute which might prove to carry some weight. That point, however, seems to have been disregarded.

American officials believe that taking as a basis the official admission of the Austrian admiralty that the Ancona was shelled, torpedoed and sunk while passengers were still aboard, there can be little room for discussing Secretary Lansing's contentions that the submarine commander violated the principles of international law and humanity and wantonly slaughtered defenseless non-combatants.

Officials pointed out that a thoroughly unsatisfactory and unresponsive reply from Austria would bring the diplomatic relations between the two countries to a crisis, because of the closing words of Secretary Lansing's note which declared that the relations between the two countries rested on their common regard for law and humanity and that Austria would appreciate the gravity of the case and would be willing to accede to the demand of the United States promptly.

The note demanded the denouncing of the sinking of the Ancona as an illegal and indefensible act, the punishment of the commander, who destroyed the steamer and the payment of indemnity to Americans who suffered.

The note stands as the most rigorous of all the American correspondence of the war and was not equaled by the note at the close of the submarine controversy with Germany.

Austrian diplomatic relations with the United States at Washington, since the recall of Ambassador Duménil in charge of Baron Zwiédnek, as charge d'affaires.

Baron Zwiédnek has had no official dispatches from Vienna concerning the reply, but after he read the news dispatches he went to the state department and had a conference with Secretary Lansing. Previously he had inquired what the attitude of the United States would be in case of an unacceptable reply.

The charge and the secretary discussed the situation informally.

German Opinion.

Berlin, (Via London, Dec. 17).—The Lokal Anzeiger, The Tages Zeitung, The Kreuz Zeitung and The Berliner Anzeiger all express approval of the Austrian-Hungarian reply to the American note on the Ancona. The out of town papers, the Cologne Gazette and the Cologne Volks Zeitung praise "the deft and polished

Believes Washington Will Recall Penfield At Once

Paris, Dec. 17.—"We shall be very much astonished if the American government does not answer the Austrian note simply by instructing Ambassador Penfield to ask his passport and by handing the charge of the Austrian embassy at Washington his passport," says the Figaro.

"Austria's answer is a barely disguised refusal. The only satisfaction Austria gives the United States is that she did not keep the United States waiting for it. President Wilson's long amity has a limit and the dismissal of the Austrian charge and the recall of Ambassador Penfield will show that it is not a question of a fit of energy but a carefully thought out resolution."

Austrian Proposal.

London, Dec. 17.—The Austrian reply to the United States note concerning the Ancona case, has been delivered to Frederick C. Penfield, United States ambassador to Vienna. It is announced in a dispatch received here.

The reply states that the Austro-Hungarian government is prepared in principle to enter into an exchange of opinion with the American government and leaves it to the Washington cabinet to draw up the individual maxims which the commander of the submarine which destroyed the steamer is alleged to have violated.

The Austrian government expresses sympathy with the American victims.

Italian Guns Demolish One of Big Siege Pieces

Rome, Dec. 17.—The correspondent of the Idea Nazionale telegraphed from the front that one of the famous Krupp 42-centimeter guns was brought from Germany recently and placed in position before Dover.

The gun was fired fifteen times without doing any damage, the correspondent says. The Italian gunners then located the monster piece and demolished it with a few well placed shells.

General Sir Douglas Haig as British commander in chief in place of Field Marshal Sir John French was entirely unexpected in France and made a great impression. The newspapers are unanimous in expressions of regret at the departure of Field Marshal French and lay particular emphasis on his services during the trying times in the opening period of the war.

The press expresses satisfaction that his successor is one of his most apt pupils, whose proverbial good luck is mentioned in the hope that it will prove a favorable omen.

General Haig has been in close and constant relation with the French general headquarters, where his appointment is received with great satisfaction, says the Matin.

Relief Steamer Reached.

London, Dec. 17.—The Belgian relief committee's steamer the Levenpool bound from New York for Rotterdam, has been beached on the east coast of England in a sinking condition as the result of striking a mine.

French's Retirement Surprised.

Paris, Dec. 17.—The employment

man in which Count Burian found weakness in his opponent's fence," said Wilson. "has considered it right to demand in the brusque tone compensation and self-punishment on the basis of statements of anonymous witnesses and on the basis of material which was so slightly convincing that the collector was forced to rob it of effectiveness by indefinite expressions, like 'reliable information,' or that the ship apparently did not attempt to escape."

"It is the president's duty now to prove that the Ancona did not flee. If he is unsuccessful in this, he will have no alternative, in view of his earlier interpretation of international law, to abandoning satisfaction of his demands."

British Papers Silent.

London, Dec. 17.—As in the case of the American note to Vienna, the London morning papers show little disposition to comment on the Ancona case. A majority of them carry no editorials on the subject, among the exceptions, however, is The Daily News, which considers that there can be but one issue, namely, a rupture of diplomatic relations.

Vienna Papers Criticize.

Vienna, Dec. 17.—(Via London, Dec. 17).—Various newspapers today comment on the American government's note concerning the Ancona and the Austrian government's reply to it. The Reichspost says:

"Washington must admit that the extent and the decisive tone of its note are in striking contrast with its faulty argument."

The Neu Wiener Tagblatt says:

"The most minor local court would reject such an indictment (in the American note to Austria) as insufficiently founded and without sufficient evidence. Austria-Hungary, however, which is involved in a hard defensive war and must protect her honor and dignity and the existence of its millions of citizens, passes in its proud consciousness of right over the formal weaknesses of the American accusation and is prepared to examine the claim thoroughly and on their merits, if conditions for such treatment are provided."

"The White House at Washington is not yet the supreme court for the whole world and its dictum is not yet a verdict good for all times. The burden of proof rests upon the accuser. We await the proofs. If they come we shall examine them calmly and without prejudice and with the help of God and justice defend our good cause."

Charlotte "DOKAYS" ELECTED OFFICERS

Charlotte, Dec. 17.—At a business meeting of the D. O. K. K. last night the following officers were elected for next year:

Royal vizier—Nat C. White.
Grand emir—Dr. Byron Clark (Salisbury).
Shiek—Dr. A. D. Glascock.
Mahedi—Edgar W. Pharr.
Secretary—J. O. Gardner.
Treasurer—J. Arthur Eagie.
Strap—J. H. McMurray, (Fort Mill, S. C.).
Sahib—C. A. Cochran.
Royal Prince—W. O. Gaffney.

The initiation fee was increased from \$10 to \$15.

Three Sessions for Today—Business to Be Concluded Tonight's Session.

Charleston, S. C., Dec. 17.—Three more sessions faced the delegates to the Southern Commercial congress before adjournment tonight of the five-day convention devoted chiefly to a discussion of the methods of building up and making known the south's resources.

Many subjects of national importance came in for their share of discussion, among them being national defense preparation, Pan-Americanism, rural credit and the proposal to establish a national chamber of agriculture, which the delegates endorsed yesterday.

Today was set aside as the "South's Day." Senator Hoke Smith of Georgia, Senator K. James Hamilton Lewis of Illinois and Commissioner of Labor Wilson were among the speakers on the program.

The adoption of a resolution to outline the work done by various commercial and agricultural organizations and for a committee of the congress to outline plans for carrying out the work of the congress, is expected to be brought up before final adjournment.

The selection also of a convention city for 1916 was to be made today. Chattanooga, Norfolk and Baltimore were said to be the chief contenders for the convention.

Officers of the congress are to be chosen at a special meeting in Washington of representatives of the congress early in the year.

Normal College Girls HAVE TAKEN 10,000 SEALS

Greensboro, Dec. 17.—The student body of the State Normal college here have taken 10,000 Red Cross Christmas seals to use among themselves during this Christmas season. They, too, are interested in the fight against tuberculosis and are availing themselves of this opportunity to help.

Dr. L. B. McBrayer, superintendent of the State sanatorium for the treatment of tuberculosis, who addressed the student body of the Normal college recently on the subject of tuberculosis and its prevention, stressed the importance of colleges giving more attention to the study of health and especially that feature that has to do with disease prevention.

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OFFICERS ELECTED BY BARACA CLASS

The Baraca and Philathea classes of Calvary Baptist church of West Asheville held their annual joint social Thursday night at the home of the pastor, Rev. H. B. Killian.

The Baraca class elected officers for the coming year as follows: J. Kelly Guthrie, president; John Lawrence, vice president; W. L. Lawrence, general secretary; W. A. Howard, treasurer; L. O. Skidwood, recording secretary; S. J. Lawrence, press reporter; Bert Starnes, librarian. Rev. H. B. Killian was also elected as assistant teacher to the permanent teacher, W. E. Howard.

Though ambition itself be a vice, yet it is oftentimes the cause of virtue. Quintilian.

EMERGENCY TAX BEFORE SENATE

Expected That Senate Will Vote to Extend Measures to December 31, 1916, Before Tomorrow Night.

IT HAS ALREADY BEEN FAVORABLY REPORTED

Bill Has Also Passed House by Vote of 205 to 189—

Kitchen Talked for the Measure.

Washington, Dec. 17.—The joint resolution extending the emergency revenue tax to December 31, 1916, after it had passed the house last night by a vote of 205 to 189, went to the senate this morning where its adoption is expected before tomorrow night. Authorization already had been given for the favorable report of the measure from the senate finance committee.

As it came from the house the measure was unamended, although the republicans sought repeatedly to shorten the period of extension. The minority was supported by five progressives and five democrats, who voted solidly against the resolution.

Senate republicans were ready, when the resolution came up, to fight to have the period of extension cut down, and the democrats were equally determined to see that it is made operative to December 31, 1916.

Representative Kitchen, of North Carolina, in his first speech as majority leader, told the house that unless the law was extended the treasury would face a deficit of more than \$51,000,000 at the end of the next fiscal year.

"We democrats know that no tax is popular in time of peace," he said, "but we would be unworthy of the record of the democrats under this administration and this congress if we did not have the courage and patriotism to arrange sufficient revenues to meet the government's absolute necessities."

Mr. Kitchen strongly defended the present tariff law, declaring it was in no respect responsible for the necessity of continuing the emergency revenue law.

"From the time the Underwood bill went into effect until the opening of the European war," he said, "we raised \$20,000,000 more than we raised in the same period under the Payne-Aldrich act."

"There is not a thoughtful man, there is not a student of revenue matters who will be honest with himself and make an investigation, who will not come to the conclusion that if the Payne-Aldrich act had been on the statute books we would have had to raise many billions of dollars more than we have got to raise now and that we would have had many million dollars more of deficit than we have now."

Mr. Kitchen gave many figures in support of his argument.

Minority Leader Mann urged that extension for a shorter period was preferable and former Speaker Cannon suggested an issue of Panama canal bonds to meet the deficit.

It is expected that a general program of revenue legislation which may involve revision of the emergency tax law, will be worked out by democratic leadership soon after the holiday which probably will begin Saturday.

GOV. CRAIG PARDONS REPUBLICANS SEEM TO BE SATISFIED

Ex-Cashier Hicks Frees Spencer Man Two Days Before Expiration of His Sentence.

(W. T. Post)

Raleigh, Dec. 17.—Two days before the expiration of his sentence, Governor Craig pardons A. W. Hicks, bank cashier and newspaper man of Spencer, who was serving two years for making false entries on his books.

Mr. Hicks was convicted in November, 1913, and appealed from a verdict in Rowan county court. Before the appeal was perfected he abandoned it and came to the state prison in the spring of 1914 to begin his sentence. His offense against the law did not develop any personal profit from the transactions by which the Wachovia Loan and Trust company, of which local bank he was the cashier before it changed its name, lost about \$33,000. The heavy failure of a Spencer merchant who ran both his automobile and his business upon high gear, consumed the bulk of the short-ages. If the pardoned prisoner ever received any of it the testimony did not show it.

He has spent the time at the building in Raleigh. Several efforts to persuade the governor to pardon him failed. Governor Craig never had the request of Judge Long who rarely interferes with the cases which he tries. Judge Long has recently given his name to the petition and upon his recommendation Governor Craig made the order. The prisoner will be home today and will live in Spencer where his friends are most numerous. Prior to his prison service he regularly did work for the newspapers of the state and the country and ran the Spencer Crescent, a weekly of that place.

Governor Craig in granting the pardon says the prisoner has made a fine record for behavior and he therefore gets the time off for such conduct. The secretary of state has granted a charter to the Union Station company of Winston-Salem, a corporation beginning with \$600 of its capital paid in, \$20,000 authorized and privilege to increase to \$125,000. The incorporators are L. E. Johnson, N. D. Maher, William C. Macdowell, L. H. Cooke, and F. T. Brinkley, Winston-Salem.

The Power City Investment company of Albemarle, is given a charter after \$1,500 of its \$50,000 capital has been paid in by J. F. Peck, F. P. Jackson and H. P. Hammond.

The Roanoke Avenue Development of Roanoke Rapids, capitalized at \$100,000, begins with \$1,000. W. L. Long, C. A. Wyche and J. T. Chase are the subscribers. Their home office is Roanoke Rapids.

Dr. Kemp Plummer Battle, former state treasurer and later president of the North Carolina university, in which he has held the chair of history many years, is visiting in Raleigh and says that the student body of 1100 has not a case of sickness.

The infirmary has had no occupant for several days and perfect health marks the record-breaking attendance. It so happens that the infirmary is without a patient often but that the sort of news that seldom gets to the papers.

Dr. Battle well into eighty is yet active and the living proof of Joseph Choate's dictum before the Cornell students: "The happiest time in life is 80 years. I advise you to hurry up and get there." Dr. Battle, like Sam Jones, "gets there" and stays.

Christmas Whiskey Interrupted.

W. T. Whitten's automobile, one of the best in Raleigh, Mr. Whitten and Lonnie Bailey were captured yesterday by Officers Brown and Holloway in John U. Smith's yard and 385 pints of whiskey was taken from the machine.

The officers seem to have been on the trail of a large amount of whiskey and when the men stepped to the Smith door to ring the bell they were taken. Both Smith and Bailey have formerly dealt in liquors when the saloons were allowed by law and Mr. Smith owns a restaurant.

The Whitten machine according to Mayor Johnson, will be confiscated. It is a high-priced car that its owner has used in his work in Raleigh and harrumphing that there was no disposition to connect him with a whiskey sale.

Death of Miss Ray.

Miss Ruth Ray, daughter of Prof. John E. Ray of the State School for the Blind, was found dead in bed yesterday.

Death was due to heart trouble which she was known to have though her health had been good and she retired at night as well as she has been recently. When she was called in the morning and failed to answer investigation was made. She had been dead some time.

She was the second daughter of Mr. and Mrs. Ray and was about 25 years old. The funeral will take place today.

After failure among the Capital club members to agree to sell their club building, which the News and Observer contemplated buying for its new home, the publishing company has decided to rebuild upon its ill-fated site which is for the second time bare from the result of a devastating fire.

The Raleigh paper had hoped to get the club building which is ideally situated for a paper and near the very heart of business. It will be retained by the club.

Washington, Dec. 17.—President Wilson has sent the name of A. Wayland Cook to the senate, to be postmaster at Greensboro, N. C.

LEADER KITCHIN FLOORED CRITICS

Was Master of Situation in Answering Republican Opponents in Debate on Tax Measure.

Gazette-News Bureau, The Riggs Building, Washington, Dec. 17.

Most of the members of the republican committee, and the republican leaders who came here for the banquet of the league of Republican clubs, left Wednesday for their homes. Mr. Duncan, committeeman from the state, left Wednesday for Raleigh, after a final talk with Chairman Hill and leaders from a number of states. As stated before, Mr. Duncan, as a member of the committee on arrangements, will have an important part in the work of organizing the Chicago convention on June 7.

Some of the visitors, after sleeping on the matter, expressed some fear that a mistake had been made in calling the convention before that of the democrats. The idea of the gentlemen was that the tariff and the foreign policy of the administration, especially as that policy relates to Mexico, would comprise the chief issues anyway, and that this situation would not be altered whether the republicans held the convention before or after that of the democrats. As a rule, however, republicans are satisfied with the decision of the committee in this respect. They are persuaded that much is to be gained by taking the offensive. The democrats say they, too, are satisfied.

The afternoon of hotel lobby gossip today only resulted in confirming impressions previously formed. There is little doubt that the republicans, or the great majority of them, got out of town without committing themselves to any particular candidate for the presidency. No end of missionary work was done by the various boosters of this and that candidate, but the visitors only listened in respectful silence. The merits of likely candidates are under consideration, but the question of who is to be nominated may be an open one when the convention is called to order. Primaries are to be held, and then the leadership of the party is determined to be sure it is right before going ahead, in the hope of being able to pick a winner. Once the candidate is named the G. O. P. leaders say they propose to fight as they never have fought before, to carry the election. They find encouragement, they say, in the fact that business interests of the country have never been so much in earnest in urging the wisdom of re-enacting a protective tariff.

Some of those familiar with the political situation in New York are not so certain that the Empire state will line up behind former Senator Root. It is just possible, they say, that the state will instruct for Governor Whitman, as a sort of favorite son proposition. Of course, if New York republicans should pursue this course, it would eliminate Mr. Root as a factor in the presidential situation. There are indications that the leaders have generally been brought to a realization of the fact that it would be a fatal mistake to nominate the man who presided over the 1912 convention, as this sort of move would simply result in putting a club in the hands of Mr. Roosevelt, or if Mr. Roosevelt did not care to use it, then in the hands of the extremists who are still enrolled under the Moose banner.

In view of these conflicting reports, it would probably be safest to assume that the plans of the New York republicans are still in an incomplete form, and about the only thing known for certain is that the leaders desire to build up a more or less solid delegation would be a big asset for the leaders when the time came to name the man.

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Gazette-News Bureau, The Riggs Building, Washington, Dec. 17.

The house yesterday experienced, and likewise greatly enjoyed, a rare field day of oratory. Orators on both sides of the house wandered far afield in their remarks, but the question before the body was the proposal to continue for another year the war revenue tax, a resolution that the democrats put through by a very good majority. Partly lines held intact, in the main, but there were some absentees. This tax has fallen heavily upon some people have been here from North Carolina to see if some relief could not be had, but the majority, while admitting that hardships have been imposed, explained that the act could not be amended without opening up the whole broad question of taxation. Had this been done the republicans, especially in the senate, would have given trouble.

While the debate was under way today both democrats and republicans had their say. The minority twitted the majority for imposing taxes so high and unjust, "in times of peace," in this country, declaring that the democrats had ruined the treasury along with everything else, and was using the European war to cover up as much as possible their manifold shortcomings. A protective tariff, declared the republicans, would provide all the revenue needed.

But Mr. Kitchen, the majority leader, declined to be placed on the defensive, and as every member on both sides of the chamber sat all attention in his seat, and as crowded galleries hung onto every word, the chairman of the ways and means committee dominated the whole prospect, including the cloak rooms.

When the "Rupert of the Democratic party," as John Temple Graves would say, was called to the leadership of his party in the house, a great many people expected to see something in the spectacular line, an agreeable suggestion of the superlative, when great occasions arose in the house. North Carolinians looked upon the scene today, as Kitchen handled himself and the situation with incomparable ease, with mixed pride and pleasure.

Uncle Joe Cannon, who takes it upon himself to keep members, more especially the new and unsuspecting members, in their seats, while Mr. Kitchen is one the floor, extracted no end of enjoyment from today's debate. Several of the senators came over to listen to the Kitchen speech, among the number being Mr. Underwood, the former house leader.

Taking up the question of objection made by the republicans that the act was a burden on the people and that the revenue should be raised by the tariff, Mr. Kitchen told his republican opponents that every dollar collected from the people under the act goes directly from the pockets into the federal treasury, and not a dollar goes into the pockets of any favorite of the republican party.

"In the last fourteen years, since I have been a member of this house," said the majority leader, "it has been my observation that nothing makes a republican so mad as when an honest dollar collected from the people goes into the treasury for the benefit of all the people, and nothing makes a republican so happy as when a dollar collected from the people through the customs house goes not into the treasury, where it belongs, but into the pockets of the tariff-fattened favorites of the republican party."

"Of course they are against this bill. Why, my friend Fordney says that if there was any national banker who would keep his books as the secretary of the treasury keeps his in reference to the financial statement of the treasury, he would be put into the penitentiary. What is the offense of the secretary of the treasury? It is that he puts down every single solitary item of disbursement so that every man, woman and child in this broad land can understand it."

"And," continued Mr. Kitchen, "they want to penalize the secretary of the treasury for his candor and his truth. I want to say to my distinguished friend, Mr. Fordney, that if it was a penitentiary offense to make, I will not say a deliberate false statement, an absolutely false statement on this floor in regard to the so-called democratic extravagance there would not be a republican out of the penitentiary who has spoken here today."

At this juncture Tom Griffin, of Alabama, who is the official leader (Continued on Page Two).

TODAY SOUTH'S DAY AT SO. C. CONGRESS

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MILLS MUST PAY TAX ON BLEACHED FLOURS

Judge Peeble Refuses Injunction Sought by Large Number of Manufacturers.

Special to The Gazette-News: Raleigh, Dec. 17.—Judge Peebles has signed an order refusing the injunction sought by many flouring mills, especially in Virginia, seeking to avoid payment of special 25 tax for each brand of artificially bleached flour.

The suit was brought against Commissioner Graham of the state department of agriculture, who had ordered collection of the tax authorized by the last legislature.

Washington, Dec. 17.—In the light of reliable information received here, it is considered doubtful whether the successors of Captain Von Papen and Captain Boy-ed, former German attaches at Washington will be appointed before the end of the war.

GERMANY MAY NOT NAME ATTACHES' SUCCESSORS

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