

ZONE SYSTEM FOR NEWSPAPERS VOTED IN SENATE CHAMBER

Senator McKellar's Amendment Is Adopted, and Tax Eliminated.

SENATOR STONE DEFENDS POSITION

Petition for Cloture Presented by Senator Simmons.

WASHINGTON, Aug. 29.—The climax of the senate's contest over the war tax bill was reached today by disposal of publishers' tax provisions and opening of the long-expected debate on war profits.

Outstanding developments today follow:

Petitions for cloture signed by fifty-six senators to limit debate and force early passage of the bill were presented by Senator Simmons.

Increase of the bill's levy on war profits from \$562,000,000 to \$1,060,000,000 was proposed in amendments proposed by Senator Simmons for a majority of the finance committee.

The senate made changes in the bill which, including the almost doubled levy on war profits proposed by the committee would bring its total to \$2,522,470,000.

Publishers' Tax Killed. Provision for a five per cent. special income tax on publishers to raise \$7,500,000, was stricken out without a roll call.

In lieu of the house zone system for increasing second-class postage rates by \$19,000,000 and the finance committee's substitute proposing a flat rate increase of 1-4 cent a pound, estimated to raise \$3,000,000, the senate by a vote of forty to thirty-five, substituted Senator McKellar's zone system to raise \$12,500,000 additional.

An effort to strike out the section entirely and leave present postage rates unchanged will be made later.

The senate spent most of the day debating the publishers' provisions. Senator Stone, chairman of the foreign relations committee, vigorously attacked critics who have charged him with being a pro-German sympathizer and defended his attitude on war measures.

Upon disposition of the publication features, Senator Simmons presented the compromise committee amendments on war profits, which including present taxes, would take \$1,286,000,000 of this year's profits, estimated between \$3,000,000,000 and \$4,000,000,000.

Tomorrow the war profits debate will get under way with a speech by Senator Underwood, in support of a new substitute by Senator Bankhead, which would substantially increase the amount of the levy as now proposed by the committee.

INSURANCE BILL FOR SOLDIERS AND SAILORS GETS FAVORABLE REPORT

Substitute for Ancient Pension System May Yet Reach Enactment.

TO AID WORKERS.

WASHINGTON, Aug. 29.—The administration soldiers' and sailors' insurance bill, designed as a substitute in the future for the present pension system, was favorably reported today by a house committee.

Representative Parker, of New Jersey, cast the only vote against reporting the measure. He was opposed to the optional insurance feature, expressing the view, advanced by the private insurance companies, that it would cost a tremendous sum of money and could not be administered fairly.

The principal change made in the bill by the committee was the reduction of the maximum amount of optional insurance a man may take from \$10,000 to \$5,000. Another amendment adopted provides that the allowance of a widow shall automatically cease upon re-marriage. Originally the allowance would have continued for two years after the death of the husband.

Chairman Adamson said tonight the bill would be reported tomorrow. He is confident of passage in the house, but anticipates strenuous opposition from the insurance companies and from the pension committees of both houses.

The bill would provide allowances for dependents of men in the service, compensation for death and disability; optional insurance for officers and enlisted men, and educational and vocational training for honorably discharged men. Administration costs for the first and second years of the war are estimated at \$176,000,000 and \$280,000,000, respectively.

TO FIGHT PARALYSIS.

HARRISONBURG, Aug. 29.—The city board of health tonight appropriated \$1,000 to be used in fighting infantile paralysis here and adopted regulations making each individual responsible for the sanitary condition of his premises. Dr. Ennio G. Williams, state health commissioner and Dr. W. A. Brumfield, assistant state health commissioner who are here to aid the fight, addressed the board.

PROMPT REPLY TO THE VATICAN NOTE WAS A SURPRISE

Even Entente Governments Were Not Prepared for Such Quick Disposal.

NO REPLY FROM ROME EXPECTED

Believed That President's Declaration Will Still Spirit of Revolt.

WASHINGTON, Aug. 29.—Discussion of President Wilson's rejection of the pope's peace proposals in diplomatic circles today revealed that even some of the entente governments were unprepared for the prompt fashion in which the president disposed of a matter of such tremendous importance.

There had been no doubt at any time as to the general nature of the reply and the understanding is that the United States was generally looked upon as the nation to speak first, but some of the allied foreign offices, expected further discussion.

It is realized, however, by the entente representatives in Washington that President Wilson must have had some good and sufficient reason for acting so quickly. Speculation ascribes the motive to a desire to impress favorably the great Russian convention at Moscow while that body is still in a receptive state. It also was suggested that the president might have wished to anticipate obstructive action by the pacifist elements in and out of congress.

No Reply Expected. No rejoinder from the vatican is expected here in the immediate future. Comment from the press of Europe, is awaited with interest. Bitter attacks upon the American note by the German press and possibly condemnatory speeches by German officials are fully expected.

While the Germans may wage war with added ferocity because of the sweeping indictment of their methods, it is confidently believed here that the spirit of revolt will develop steadily and rapidly among the people in Germany, bringing nearer the day when they will assert themselves to the point where President Wilson may feel safe in listening to peace overtures.

His Meaning. President Wilson realizes the force of the objection that has come from some quarters as to what might be regarded as a disposition on his part to impose a form of government on Germany. It can be stated that nothing is further from his thoughts than such a disposition. He meant that the word of the present autocratic rulers of Germany cannot be taken for anything that is to endure unless supported by the will of the people themselves.

As to whether Germany has an imperial or a republican form of government, it is conceded that the remainder of the world has nothing to do.

The struggle for parliamentary reform is being waged with the keenest interest, and while it was said at the state department today that no official advice as yet at hand regarding the developments, it would not be a matter of surprise if there were

(Continued on Page Two.)

PROLONGED DISCUSSION OF WHEAT SITUATION PRODUCES NO RESULT

Difficulty in Reaching an Agreement Revolves Around Question of Price

HARD AT WORK.

WASHINGTON, Aug. 29.—Another prolonged session today failed to bring the wheat price committee to a conclusion as to a price for the 1917 crop.

When an all-day meeting adjourned tonight it was announced the committee would go into session again tomorrow with the prospect of fixing a price before the day was over.

Reports persisted tonight that a wide difference of opinion has developed as to what is a fair price. The committee several days ago agreed that it should require a three-fourth vote to set any figure. Representatives of the producing interests, it is said, are holding out for a price higher than their members are willing to concede.

When the price finally is determined the committee's recommendation will be transmitted directly to President Wilson and the price will be announced from the white house. This plan drew the suggestion tonight that in event the committee can not agree on a price, two or more figures might be given to the president and a decision left to him.

The committee has eleven members besides Dr. Garfield, representing wheat growers and the farming interests are Charles J. Barrett, of Georgia, president of the Farmers' union; Eugene E. Funk, of Illinois, president of the Corn Growers' association; Edward F. Ladd, president of the North Dakota Agriculture college; J. W. Shortall, of Nebraska, secretary of the National Council of Farmers' Cooperative associations; L. J. Tabor, master of the Ohio State Grange; Henry J. Waters, president of the Kansas State Agricultural college.

INTERUPTS WAR TAX DEBATE WITH SPEECH ON PEACE

Stone Denies That He Is Pro-German In His Efforts.

HAS BEEN HOUNDED FOR UTTERANCES

Believes Now That Government Is in War Should Do All Possible.

WASHINGTON, Aug. 29.—Chairman Stone, of the senate foreign relations committee, interrupted the war tax debate in the senate with a peace speech. He denied that he ever had a thought of introducing a peace resolution and criticized newspapers for imputing such a motive.

Because he recently submitted a letter on peace from Amos Pinchot and others of alleged pacifist organizations, Senator Stone said he had been violently attacked in newspapers and pictured as a "slacker, German sympathizer and even a German spy."

He has been hounded. "These publications have hounded me," he said, "because I presented this communication and said I might have some remarks later."

"Is there not some sinister influence behind this sort of thing?" he asked. "A senator is now in danger of being pilloried when he says or does anything which gives offense to some one."

The charge that he is a German sympathizer was said by Senator Stone to be "too ludicrous for specific denial." He said he had not a drop of German blood and that his English ancestry is clearer than the British king.

"I am willing to go to war to preserve the civilization of the English-speaking people of the world if for a moment I believed their civilization was imperilled," continued Senator Stone.

"I did oppose having the United States enter the war as a belligerent and every day I live confirms me in the wisdom of that action."

Country Is at War. But now that this country is at war, he added, he would do everything in his power to aid it in carrying the struggle to a successful termination. He asserted that since war was declared he had supported every war measure introduced in congress, and denounced editors who had called him an obstructionist and an ally of Germany.

"While this pitiless storm of editorial mendacity was beating upon me," said the senator, "I am using my influence on the finance committee to prevent what I considered unjust taxations of publications."

Of Missouri's foreign population, Senator Stone declared his belief six-fifths per cent of the German voters had been loyal to the republic and he denied that any influence had been brought to bear on him.

THE WEATHER. WASHINGTON, Aug. 29.—Forecast for North Carolina: Probably thundershowers Thursday and Friday.

CODICIL OF MRS. BINGHAM'S WILL FILED IN COUNTY COURT AT LOUISVILLE

Rumor Has It That Mrs. Louise Wise Lewis Will Contest Will.

MANY WITNESSES.

LOUISVILLE, Ky., Aug. 29.—The codicil to Mrs. Robert W. Bingham's will bequeathing to her husband \$5,000,000 was filed in the county court here today. This instrument is brief and directs that Mr. Bingham is to have \$5,000,000 from her estate, either in cash or securities as he may see fit. The original will was probated in West Palm Beach, Florida, August 3, leaving her estate chiefly to a brother, a nephew and two nieces.

The principal part of the estate is left to Mrs. Louise Wise Lewis, of Cincinnati, a niece, and rumor has it that she will contest the codicil giving Judge Bingham \$5,000,000. An attorney left for Florida today, where the depositions of the witnesses to a codicil that was probated with the will are to be taken. The witnesses to the will proper reside at various points and their depositions with those of the executors, William Kenan, of Lockport, N. Y., and Judge Blount, of Pensacola, Fla., will be taken for proof as to the genuineness of the will. When these depositions are filed here a motion will then be made to probate the codicil dated June 19, last, and made by Mrs. Bingham during her last illness. It is witnessed by W. W. Davies, a personal friend and former law partner of Judge Bingham and Dr. M. L. Ravitch, who attended Mrs. Bingham in her last illness. Helm Bruce is the local attorney for Mrs. Louise Wise Lewis, but he will make no statement as to whether any attempt will be made to prevent the probate of the codicil giving Judge Bingham \$5,000,000 of the great Flagler estate, valued at \$50,000,000. The prevailing opinion is the probating of the codicil will be resisted.



EFFORT TO BREAK DOWN THE KEATING-OWEN CHILD LABOR LAW IS UNDER WAY BEFORE JUDGE BOYD AT GREENSBORO

Based on Injunction Proceeding Brought by One Dagenhart Who States in Substance that He Must Needs Have The Support and Money of His Minor Sons—Big Array of Legal Talent—New York Lawyer Fires Opening Gun.

GREENSBORO, N. C., Aug. 29.—The constitutionality of the Keating-Owen child labor law, which becomes effective September 1, was called into question here today before Federal Judge Boyd. The hearing, which was not completed upon the adjournment of court tonight, is on injunction proceedings brought by Roland H. Dagenhart and his minor sons, Reuben and John, of Charlotte, who seek to restrain the Fidelity Manufacturing company from discharging the two boys from the company's cotton mills at Charlotte. The importance of the suit is indicated by an imposing array of counsel. Professor Roscoe Pound, dean of law of Harvard university, and Professor Thomas F. Wilkinson, of Columbia university, appear as leading counsel for the department of justice, while Junius Parker, a former North Carolinian and now of New York, Colonel Clement Manley, of Winston-Salem, and Judge W. P. Byrum, of Greensboro, are of counsel for the plaintiffs. United States District Attorney W. C. Hammer, is made defendant to the suit.

Mr. Parker opens. The first argument for the plaintiffs today was made by Mr. Parker. He declared that the act is fundamentally at odds with the law of the nation; that it does not prohibit child labor but that the national legislature has the right and the duty to take into consideration the "repugnance the majority of people might feel to having brought to their homes goods made by childish hands and to pass a law to forbid the use of channels of interstate commerce to the spread of such articles." The second reason for the law, Professor Pound said, is that permanent interstate commerce in products of such labor inasmuch as a manufacturer might make his goods by the work of "babies in arms," close his mill for thirty days, and legally tender the goods for interstate shipment without violating the Keating-Owen act. Mr. Parker said the act represents the attempt of congress to make a man engaged in interstate commerce amenable to it for his past conduct and thereby takes police powers of a rigid sort; that in passing the law, the congress went beyond the limitations of its specially delegated powers and violates the Eleventh amendment to the constitution. Mr. Parker further declared that the act violates the Fifth amendment in that if it is not a specifically delegated power of congress the act is depravatory of property without due process of law.

Pleas for the Law. Professor Pound in arguing the constitutionality of the law, said there are two essential reasons for the child labor law and that it is not an irrational, unreasonable and arbitrary control congress has over interstate commerce. The first reason, he said, is the protection of people of the state which do not employ child labor from unwitting patronage of manufacturers who do use children in their factories and that the national legislature has the right and the duty to take into consideration the "repugnance the majority of people might feel to having brought to their homes goods made by childish hands and to pass a law to forbid the use of channels of interstate commerce to the spread of such articles." The second reason for the law, Professor Pound said, is that permanent interstate commerce in products of such labor inasmuch as a manufacturer might make his goods by the work of "babies in arms," close his mill for thirty days, and legally tender the goods for interstate shipment without violating the Keating-Owen act. Mr. Parker said the act represents the attempt of congress to make a man engaged in interstate commerce amenable to it for his past conduct and thereby takes police powers of a rigid sort; that in passing the law, the congress went beyond the limitations of its specially delegated powers and violates the Eleventh amendment to the constitution. Mr. Parker further declared that the act violates the Fifth amendment in that if it is not a specifically delegated power of congress the act is depravatory of property without due process of law.

SON OF CONGRESSMAN FAILED TO REGISTER

Government Official Says He Will Swear Out War-rant for Arrest.

MADISON, Wis., Aug. 29.—United States District Attorney A. C. Wolfe announced this afternoon that he would swear out a warrant for the arrest of Byron Nelson, son of Congressman John M. Nelson, on the ground that the young man did not register under the selective draft law.

Nelson was in Canada on registration day and has been employed there since on his father's farm. He claims exemption from registration on the ground that he is not now in the United States and has not been since the date of the draft.

A United States marshal will leave for Alberta, Canada, tonight to arrange for the extradition of young Nelson.

MAY ABOLISH CENSORSHIP.

AMSTERDAM, Aug. 29.—The main committee of the reichstag today discussed resolutions to abolish the political censorship and re-establish the right of assembly. A progressive speaker said the political censorship must be taken out of the hands of the military authorities, as they were encroaching upon all possible matters. He complained that the arbitrary treatment of the press movement demanded the replacement of the Prussian law regarding the state of siege by a modern imperial law.

An independent socialist asserted that the official chancellor was a tool of General Ludendorff, first quartermaster-general. The war officer, he said, severely treated labor leaders, especially independent socialists, but on the other hand permitted pan-German agitation in the army.

BRITISH STEAMER SUNK.

NEW YORK, Aug. 29.—The British steamship Assyria, a vessel of 5,370 tons gross register, under charter to the Cunard line, has been sunk by a German submarine, according to advices received here today in insurance circles. Agents of the line said they had been informed the vessel was lost but they have no particulars as to the fate of the crew, or of the locality and date the ship was destroyed. The Assyria sailed from an American port for England the latter part of July.

OPERATORS UNSETTLED ON COURSE OF ACTION

Some Willing to Accept the Government Prices.—Others Would Fight.

WASHINGTON, Aug. 29.—Directors of the National Coal association, meeting here to discuss government control of their industry, were unable to agree as to whether they will accept without protest the scale of prices fixed for their product by President Wilson.

Two distinct factions, it was learned have developed in the association—one willing to accept the situation and the other anxious to fight the government in the courts. The operators who are ready to sell at the prices named are among the large producers and those who are showing opposition, are representing largely owners of small mines, whose costs of production are high.

When today's meeting adjourned it was announced that the operators probably would have a definite announcement to make sometime tomorrow and that they would make their position clear. Those who believe it unwise to test the law hoped tonight to bring the opposition around to their way of thinking.

The possibility that the operators will suggest a change in the government's program to provide for selling pools by districts was heard again today.

TO RESTRICT COTTON.

ALEXANDRIA, Aug. 29.—The Egyptian government has decided to restrict the cotton acreage the coming season.

EARL GREY DEAD.

LONDON, Aug. 29.—Earl Grey, a former governor general of Canada, died at 6 o'clock this morning at Howick House, Northumberland, after a long illness.

The funeral will be held at Howick on Saturday, when a memorial service will be held in London.

NEARLY MILLION WOMEN PETITION FOR BALLOT

Sign Enrollment Blanks in New York.—Figures Submitted to Conference.

SARATOGA SPRINGS, N. Y., Aug. 29.—Nearly a million women in New York state have signed enrollment blanks signifying their desire to vote, according to figures submitted to the state conference of the woman suffrage party here today. After the actual figures, 999,162 had been reported, district delegations agreed to obtain enough signatures by September 8 to round out the million. In New York City the blanks have been signed by 501,888 women.

In every district of the state, it was asserted the suffragists have actively co-operated in the promotion of the liberty loan, Red Cross work and other war activities.

Resolutions defining the attitude of the party toward the war and picketing of the white house by members of the congressional union will be introduced tomorrow.

CHARGED WITH MURDER.

ST. ALBANS, Vt., Aug. 29.—Herbert Warm, of Potawatow, Pa., a private in the Eighth United States cavalry was arrested tonight on an indictment returned tonight by a special grand jury charging him with murdering fourteen-year-old Jennie Hemmingway. The arrest was made in the county jail, where Warm has been detained since the girl's body was found on the edge of a cornfield August 13.

REPORT RUSSIANS LEAVE TRENCHES AND TAKE TO FLIGHT

More Hopeful Signs Noted in Other Sections But Outlook None Too Rosy.

NOTHING UNUSUAL ON OTHER FRONTS

Hard Fighting in Progress Between Italians and Austrians Near Gorizia.

The disaffection in the Russian army which resulted in the forced evacuation of the greater part of Galicia and Bukowina by still loyal troops apparently has not been eradicated, although a stiffening in the Russian defense in Galicia, Bukowina and Roumania recently had indicated that the Russians were to make more voluntary retrograde movements.

Following Tuesday's reports of the falling back by the Russians in eastern Bukowina toward the Besarabia frontier comes the news that disloyal to their colors, the Russians in southern Moldavia, from Fokohani northward, have quit their trenches and fled in disorder. The enemy by reason of this defection has materially bettered his positions for an advance eastward, and at last accounts was continuing to develop his success. Suffered Heavily. The Berlin war office says the Russians have suffered heavily in men killed or wounded and have lost more than 1,000 men made prisoner and three guns and fifty machine guns.

In addition they have given up splendidly valuable positions guarding the approaches to the Strach river, the crossing of which by the enemy, taken in connection with an invasion of Moldavia and also prove a valuable asset, for a Teutonic advance toward Russian territory north of the bend in the Danube. Meanwhile M. Kerensky, the Russian premier, has reiterated to the closing session of the conference at Moscow the determination of the provisional government to protect the results achieved by the revolution and declared that no counter-revolutionary attempts will be countenanced.

Quiet in France. A continuation of the stormy weather is still holding up major operations in France and Belgium, although the British here and there still are engaged in minor trench raiding activities.

The fighting on the Verdun front, for the moment also has reached a pause, only the big guns being active. Hard fighting in progress between the Italians and Austrians on the heights around Gorizia. In the former sector the Austrians are defending tenaciously a powerfully fortified line to which the Italians have come within striking distance. In the fight-

(Continued on Page Two.)

KERENSKY CLOSING THE RUSSIAN CONFERENCE SEES BETTER DAY AHEAD

He Believes That Opposing Parties Wish to Arrive at Agreement.

STILL HAS FAITH.

MOSCOW, Aug. 29.—Premier Kerensky, in closing the Russian conference, said that although the different political groups had criticized the provisional government, they had shown clearly a desire to arrive at an agreement.

"The provisional government," declared the premier, "will stand on guard over the revolution. It will suffer no counter-revolutionary attempts, whatever be their source, for the provisional government is the incarnated will of the whole Russian people. It does not regret having convoked the conference at Moscow, which, although it has not yielded practical results, has allowed all Russian citizens to say frankly what they think necessary for the state."

Premier Kerensky then spoke of the services rendered to the country by the revolutionary democracy, which, he observed, took power at a terrible moment in the life of the state.

"Whoever endeavors to wrest their conquests from the people," he concluded, "will never succeed, for they have now become public property."

THE ASHEVILLE CITIZEN

Circulation Yesterday City 4,771 Suburban 4,855 Country 1,600

Net paid 11,226 Service 196 Unpaid 69

Total 11,491