

WEATHER.
Fair and Slowly Rising Temperature.

THE EVENING DISPATCH

FINAL EDITION

VOLUME TWENTY-TWO.

WILMINGTON, NORTH CAROLINA, FRIDAY, FEBRUARY 4, 1916.

PRICE FIVE CENTS.

GERMANY WILL NOT ADMIT IT

Declines Positively to Declare Sinking of Lusitania Was "Illegal."

BERLIN THINKS CRISIS AT HAND

Instructions Sent Count Bernstorff Contain No Disavowal of the Lusitania Act, Such Demanded by President and State Department.

Berlin, Feb. 4 (Via London).—Information reaching the Associated Press today indicates that under no circumstances will Germany admit that sinking of the Lusitania was an illegal act. The new instructions forwarded to ambassador Bernstorff, according to this information, contains simply one phrase of the new formulation of the proposed note of regret for the sinking of the Lusitania. The suggested sentence is short and consists of only eight words and does not contain the word "illegal." It is represented as the extreme limit of Germany's concession in the Lusitania case.

The view is entertained here that one of the most serious crises of the war has arisen in connection with the Lusitania case and that it is impossible to foresee the outcome from any indication here.

The result of the negotiations appear to hinge solely on the single word "illegal" in the way of an agreement between the United States and Germany stand these seven letters, which must express the conception which President Wilson and Secretary Lansing insist must be embodied in Germany's formal expression of regret for the loss of American lives aboard the Lusitania.

The Associated Press is informed positively and authoritatively that Germany cannot and will not designate as illegal the sinking of a liner by a submarine.

Virtually no other difficulty in the way of settlement remains and the new instructions forwarded to Ambassador von Bernstorff on Tuesday contain merely the new formula which it is hoped will satisfy Washington without humiliating this country, although the suggestion sent, according to a reliable authority, consists of only eight words and does not contain the word "illegal."

LONG TERM LEASE ON TWO THEATRES

Howard & Wells Extend Time—Make Purchase of Solky Houses Optional.

The lease of the Victoria and the Grand theatres, owned by Mr. J. M. Solky, to Messrs. Howard and Wells, proprietors of the Royal and Bijou moving picture theatres here, for a period of 15 years, was consummated Friday morning when the papers were filed at the Court House.

The terms of the lease are for \$7,000 for the first 3 years, \$8,400 for the next 2 years, \$9,600 for the next 2, and \$12,000 for the last 5 years. Stipulated in the lease is options of the two buildings. For the first 5 years the price is \$60,000 for the Victoria theatre and \$90,000 for the Grand and other property, next 5 years, \$70,000 for the Victoria and \$95,000 for the Grand, last 5 years, \$75,000 for the Victoria and \$100,000 for the Grand theatre.

Messrs. Howard and Wells are now operating the theatres under a sub-lease.

WELL KNOWN LUTHERAN MINISTER DEAD.

Greensboro, N. C., Feb. 4.—The Rev. J. E. Shenk, pastor of the Lutheran Church here, died today. He was a native of Virginia and was educated at the Virginia Polytechnic Institute and the University of Virginia and was ordained in 1900.

FAYETTEVILLE BANK CLOSES DOORS

Fourth National Suspends to Wind Up Affairs—Depositors Will be Paid in Full.

Washington, Feb. 4.—The Fourth National Bank of Fayetteville, N. C., was closed by the board of directors this morning. National Bank Examiner Doughton is in charge, at the directors' request, and will report details of the closing later.

The bank is capitalized at \$200,000. It had a surplus of \$2,000 at last report.

Fayetteville Views It Calmly.

Fayetteville, N. C., Feb. 4.—The people of Fayetteville were startled this morning to read on the door of the Fourth National Bank, of this city, the announcement that "the bank was closed by order of the directors and that the National bank examiner requested to take charge of its affairs."

There is no undue excitement on account of the event, and even the depositors view the situation calmly and express the belief that they will be paid in full.

Dr. H. W. Lilly, president of the bank, has issued a statement to the effect that the bank has never recovered losses sustained several years ago and that it has been steadily losing and "being unable to promptly realize on its securities" the directors felt that in justice to the depositors they could not safely continue business and therefore had requested the National bank examiner to take charge of its affairs.

It is confidently believed that all depositors will be paid in full.

TAR HEELS ON THE PROGRAM

Will be Heard at National Labor Conference in Asheville.

Asheville, N. C., February 4.—Community and rural life, educational and industrial and social standards were the principal topics at today's session here of the 12th annual child labor conference held under the auspices of the National Child Labor Committee.

Homers Folks, chairman of the National committee on prevention of tuberculosis, presided.

Addresses on today's program included one by C. L. Coon, superintendent of schools of Wilson, one on "Social Standard" by Mrs. Thomas W. Lingle, president of the North Carolina Federation of Women's Clubs, and "Rural Life" by Prof. E. C. Branson, of the University of North Carolina.

TO ISSUE BULLETINS ON LIVE STOCK.

(By George H. Manning.)

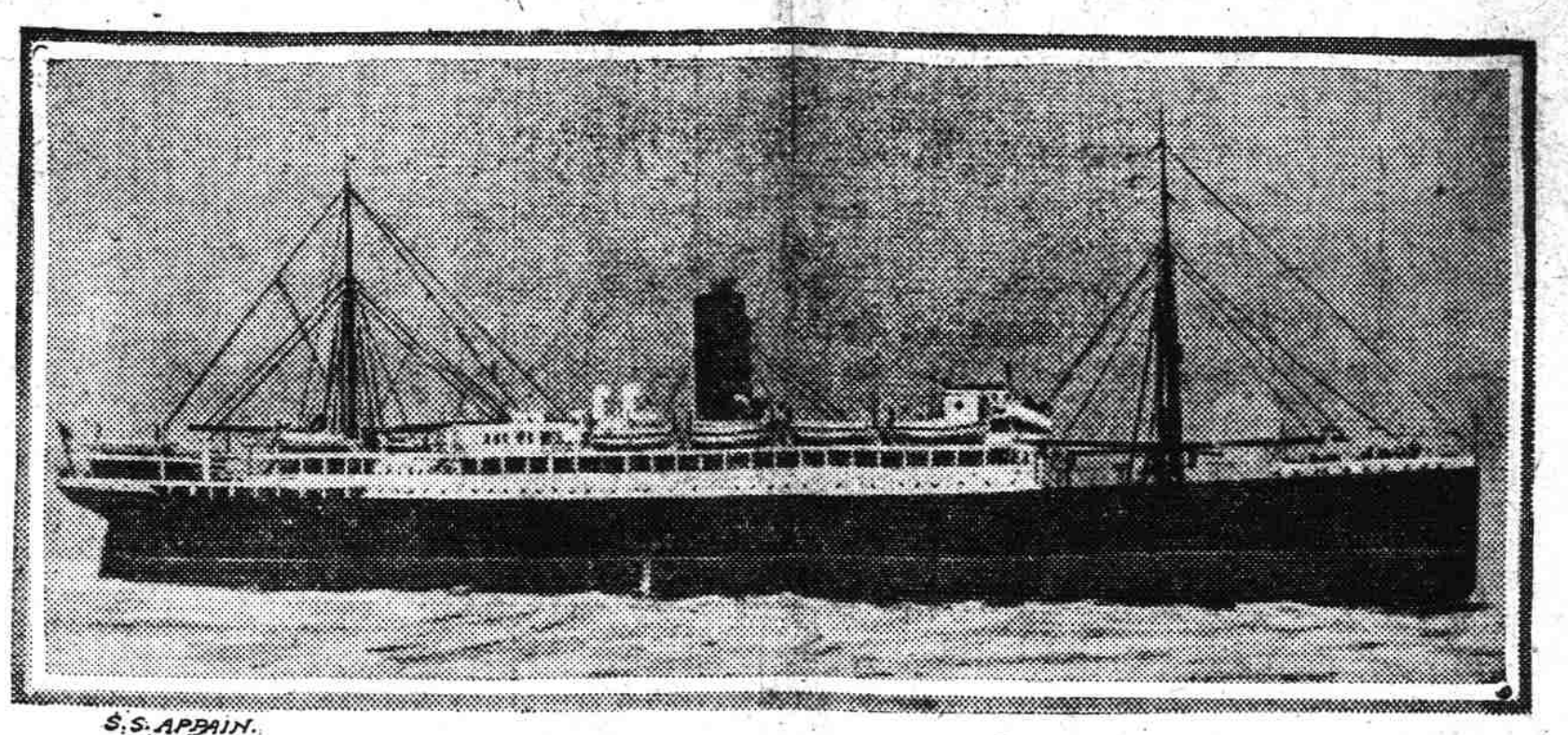
Washington, D. C., February 4.—A plan to have the government issue bulletins at stated periods on the number, ages, condition and location of live stock, and the amount of meat in cold storage and other statistics of value to the cattle and packing house trade, similar to the statistics now issued monthly by the government regarding cotton and grain, was placed before Congress today by Congressman Hull of Tennessee.

Mr. Hull introduced a joint resolution in the House of Representatives directing the Secretary of Agriculture to gather and push information regarding live stock by States and sections, estimated value of the different kinds of marketable animals, including cattle, hogs and sheep, and to gather and publish such other information as would shed light on the amount of meat in cold storage, the general movement of live stock, and meats, together with all available facts showing the supply and demand, present and prospective.

Alarming Symptoms.

"Asphodelia Twobble says she has found herself at last."
"Umph! I presume she talks about her starved soul, her mission in life an dull that sort of thing."
"Why, yes."
"We must get up a dance at once. Asphodelia is thinking too much."
—Birmingham Age-Herald.

BRITISH SHIP WHICH GERMAN PRIZE CREW BROUGHT INTO AMERICAN PORT



S.S. APPAM.

One of the most daring and unique incidents of the European war culminated in the bringing into Newport News, Va., of the British South African liner Appam, by a German prize crew of 22 men under Lieutenant Berge.

The Appam, which was given up for lost and was supposed to have been torpedoed off the African coast, was captured at sea by a German submarine on January 15, four days after she left Dakar, in the French colony of Senegal, West Africa.

Besides her passenger list of 166 and her crew of 134 she is thought to have more than 100 prisoners taken from other ships on board.

Among the passengers who were booked to sail on the Appam were Sir Edward and Lady Merewether and their suite; Frederick Seton James, former acting colonial secretary and closely identified with colonial administrative affairs in Africa; Francis Charles Fuller, who was appointed chief commissioner of Askani in 1905, and Mrs. Fuller.

The Appam is 425 feet long, 57 feet beam, of 7,781 tons gross. She was built in 1913, at Belfast, and is owned by the British and African Steam Navigation Company, which is under the management of the Elder Dempster Line.

Did Seaboard in Big Damage Suit But Court Ruled Against It—Prof. Brooks Being Talked of to Head the A. and M. College.

Dispatch News Bureau. Raleigh, N. C., Feb. 4, 1916. Governor Locke Craig commends Louis Brandeis, recently appointed United States Supreme Court Justice, to the nation and without reserve other than proof of moral unfitness to wear the judicial gown, speaks for his confirmation by the Senate.

Governor Craig was asked by a Jewish publication of Chicago to give his views upon a question that the Hebrew journal expects to become acute in a short while. The North Carolina chief executive urges the fitness of the Boston lawyer to interpret the laws for the highest court of the world. He thinks Brandeis worthy of the great race to which he belongs and declares that as a lawyer on the bench he will not destroy nor will he write or think in the terms of the formula.

The Governor finds other malefactors than those of great wealth and says so, but he believes Brandeis has won his right to the place by reason of his righteous understanding of the trust question and his procedure against the illegal organization which are expected to oppose the new judge. Governor Craig is supporting Mr. Brandeis for what he has done and is not worrying over what he represents in race. It is inconceivable to the chief executive that a man who has done what Brandeis could have escaped exposure and political extinction had he been less than the man that the President found him. And Governor Craig does not think President Wilson would have appointed a man who failed to meet the highest test of character.

Wanted a Mistrial. In the middle of the Tighman vs. Seaboard damage suit yesterday, counsel for the carrier asked Judge Connor to withdraw a juror from the box and order a mistrial because of questions asked the day before.

The plaintiff's attorneys were cross-examining a witness and asked him if he did not know that the Interstate Commerce Commission had investigated the wreck on the Seaboard in November of 1912, and found that it was caused by the "poor writing of the agent" whose "Granite" was read "Grandy," the confusion of which meeting places is the declared cause of the wreck.

Murray Allen and ex-Governor Kitchin, for the Seaboard, contended that this was a very prejudicial piece of evidence which the plaintiff's attorney declared was not offered as evidence.

The right-of-way on the beach is now being beautified by Mr. Hess, of the Audubon Nurseries. Shrubbery and trees are being set out by a force under him, that will make the line on the island particularly pleasing. A number of experiments are being made on the beach with vines and grasses

to ascertain which species is best adapted for lawns and shrubbery in the soil there.

It is the idea of the Tidewater Power Company to ultimately develop the beach into a winter resort as well as summer.

COAST LINE'S LEGAL CHIEF DEAD

Vice President Alexander Hamilton, of Petersburg, Died Today.

PASSES AFTER FEW WEEKS' ILLNESS.

News Received in Railroad Circles With a Shock—Funeral Will be Held Tomorrow Afternoon in Petersburg.

Special to The Dispatch.

Petersburg, Va., Feb. 4.—The death of Alexander Hamilton, vice president and general counsel of the Atlantic Coast Line Railroad Company, which occurred at his home here early today, was due primarily to a fall which he sustained in a runaway accident some months ago, it is stated.

Mr. Hamilton sustained severe injury to his back which brought on an affection of the nerves about the spinal column.

On Wednesday two eminent surgeons came here from New York and operated as a last resort. The patient never rallied from the ordeal.

For some reason or other, his family were very reticent in discussing his illness and declined to give out anything to the press up to the time of his death.

It is not known here who will succeed him.

Died of Paralysis.

Richmond, Va., Feb. 4.—Alexander Hamilton, vice president and general counsel of the Atlantic Coast Line Railroad, died at his home in Petersburg this morning.

The funeral services will be held at 4 o'clock Saturday afternoon in St. Paul's church, Petersburg, with burial in Blanford cemetery.

Mr. Hamilton died of paralysis, which attacked him, it is said, a fortnight ago. Few knew of his fatal illness. He was born at Williamsboro, N. C., in 1851, and was educated at the Baltimore Military Institute and Washington and Lee University. His third wife and several children survive him.

The news of the death of Mr. Alexander Hamilton, of Petersburg, Va., first vice president and general counsel of the Atlantic Coast Line Railroad Company and president of the Atlantic Coast Line Company of Connecticut, the holding company of the A. C. L. system, which occurred at his home in Petersburg this morning about 3 o'clock, after an illness of a few weeks, will come as a great shock to hundreds in Wilmington as well as over the entire Coast Line Railroad.

Mr. Hamilton had visited Wilmington on many occasions and was held in the highest esteem by all who made his acquaintance.

The funeral services will be held in Petersburg Saturday afternoon about 4 o'clock and the following A. C. L. officials will leave this afternoon on the 6:45 train to attend: Mr. P. R. Albright, general manager; Dr. G. G. Thomas, medical director; Mr. James F. Post, treasurer; and Mr. George B. Elliott, general counsel. Mr. Lyman Delano, third vice president of the system and head of the operating department, is not in the city, but will within all probability attend the funeral services.

Mr. Alexander Hamilton was born in Granville county, North Carolina, on March 13, 1851.

TURKS HAVE GIVEN UP THEIR TOWN OF ERZERUM

Comes Report from Petrograd, Based on Reliable Information.

AUSTRIAN AIRMEN

Get Busy and Make an Attack on the Italian Base at Avlona—Albanian Port of Durazzo Also Attacked.

Evacuation by the Turks of Erzerum is claimed by a Petrograd newspaper, which declares it is in receipt of advices from reliable sources that the Turkish forces have abandoned the fortress.

Notable successes for its airmen in a raid on the Albanian port of Durazzo are claimed by the Austrian admiralty. The Italian base of Avlona also was attacked by Austrian aviators of February 2.

A second Zeppelin air raid on Saloniki attempted Wednesday was frustrated by fire of the Allies' battery, according to an Athens dispatch.

Reports of infantry operations of importance from any of the main fronts of the war are lacking.

Vienna claims progress by the Austrians.

HURRYING TROOPS ATTACK VILLA

Juarez Cut Off From Communication as Result of the Fight.

El Paso, Texas, Feb. 4.—Juarez was completely isolated early today from communication with Chihuahua City, as result of the attack late yesterday of Francisco Villa upon the garrison at Mochizuma, about 10 miles south of here.

Beyond establishing that Villa led the attack no news had been received here early today indicating how the fighting resulted. Troops are hurrying from Chihuahua City to attack Villa, while reinforcements are en route to Mochizuma to support the Carranza troops. They believe that should the fight be prolonged Villa will be surrounded on all sides.

BIG SALE MADE OF COTTON MILLS

Rocky Mount Interests in Deal Aggregating a Million Dollars.

Rocky Mount, N. C., February 4.—The sale of four cotton mills, owned by the Hope Manufacturing Company, at Hope Mills, to Rocky Mount interests has been announced. The amount involved is said to aggregate approximately \$1,000,000.

Reorganization is being perfected in the mills, which employ about 1,200 persons and operation will begin at an early date. R. L. Huffins heads the project.

He was a man of force, but of great affability, and was much loved by all who knew him. No man in the State of Virginia was more generally held in high esteem.