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JOHNSTON COUNTY'S APPEAL.

Supreme Court Divides Three to Two Over Act Authorizing Road Bonds Which Is Held to Be Invalid. Both Opinions Lengthy. Count Not Responsible for Benefits Accruing Solely to Specific Localities.

(Greensboro News.)

Raleigh, Sept. 26.—The Supreme Court is divided three to two in the appeal from Johnston County involving the validity of the act of the last general assembly authorizing four per cent State bonds running 41 years issued on county certificates or bonds for 5 per cent for money for road improvement, or rather the justices are thus divided as to the constitutionality of Section 20 providing for township or road district bonds same as county bonds, secured and administered by the county. The majority hold section 20 unconstitutional and Chief Justice Clark and Justice Walker hold that not only is Section 20 valid, but that the whole act is most worthy of being sustained as a "most just, beneficent and progressive" measure.

The opinion is the one of overshadowing importance in a goodly batch delivered this afternoon. Justice Hoke wrote the opinion for the majority of the court and Chief Justice Clark the dissenting opinion.

In the hearing below Judge Devin held with the plaintiffs, the commissioners of Johnston County, that the act was valid, directing State Treasurer Lacy, the defendant in the test case appealed, to pay over the money to the county for the two townships as requisitioned. The controlling opinion finds error in Judge Devin's ruling in that it is held that the legislature cannot authorize a county board to give bonds for road improvement in townships or road districts, making the whole county responsible for benefits that accrue solely to specific localities within the county.

As to the validity of the remainder of the act the controlling opinion says:

"What effect this finding of invalidity of Section 20 will have on the remaining provisions of the act and whether the general principles which forbid that on facts of this record, cost of building and upkeep of local roads for a township or road district, to be financed by a county, will operate to prevent a State from incurring a large bonded indebtedness in aid of road building in different counties, are questions of largest import which we do not now determine. They not being presented in this record, we do not consider proper to decide by anticipation."

The effect of the controlling opinion is to knock out that portion of the act that would have townships or road districts to vote such bonds and thus exact of the county the issuance of its certificates to the State for 5 per cent for 41 years, and then collect and administer the special taxes for the township or road district. Then there remains the possibility for an entire county to vote the bonds for road work in the county and when such step is taken by a county there can be another test case to settle the validity of the act as a whole, applying to county and State.

Both the controlling opinion and the dissent by the chief justice are quite lengthy. The dissenting opinion insists that the act nor any part of it should be set aside unless beyond all doubt unconstitutional, the act being one that has been pending for a number of years and thoroughly approved by the people and their representatives. An identical system, the chief justice points out, is used in England to take up the great landed estates of Ireland and then divide them and sell on long time to citizens, England paying 2 per cent and charging a larger one that liquidates interest and principal. The school bond systems and the schoolhouse loan fund of the State are much the same system, he insists. He declares in conclusion: "Judge Devin has properly, in my judgment, sustained both in letter and spirit the enactment by the General Assembly of the most just, beneficent and progressive measure adopted only after fullest consideration by the people and their representatives."

The only way to give the French people even one ounce of sugar per day is for each man, woman, boy and girl in America to reduce his consumption one-third.

NEARLY EIGHT BILLIONS.

Senate Passes Measure Without a Roll Call Vote Appropriating Vast Sums for War.

The urgent war deficiencies appropriation bill was passed by the Senate Tuesday, after an additional half a million was added to the bill as it came from the House, for the Employment Bureau of the Department of Labor. The bill carries an appropriation of \$7,991,400,000. Its principal items include:

Shipping—board, \$635,000,000 cash for the construction program authorized of \$1,749,000,000; army and navy emergency funds of \$100,000,000 each; construction of torpedo boat destroyers, \$225,000,000 to start a \$350,000,000 program; army transportation, \$413,000,000; fortification, \$1,495,000,000 appropriated and \$975,000,000 more authorized; army subsistence, \$320,000,000; clothing and camp equipment, \$357,000,000; engineer operations, \$191,000,000; medical department, \$120,000,000; pay increase for foreign service, \$31,000,000; horses, \$48,000,000; barracks, \$49,000,000; ordinance stores and ammunition, \$732,270,000; small arms target practice, \$89,676,000; ordinance stores and supplies, \$113,620,000; manufacture of arms, \$32,690,000; automatic machine guns, \$113,520,000, with \$220,277,000 additional authorized; armored motor cars, \$36,750,000; naval aviation, \$45,000,000; naval ammunition, \$40,146,000 with \$15,000,000 more authorized; naval batteries, \$50,000,000 and \$28,000,000 more authorized; naval reserve ordinance, \$47,500,000 and \$17,500,000 more authorized, and naval training camps, \$12,600,000.

A LETTER FROM CAMP JACKSON

Boys Who Left Last Saturday Assigned to Company H, 321st Regiment of Infantry.

Mr. Editor:

We left Smithfield with our Johnston County boys last Saturday afternoon at 5 o'clock and arrived at Camp Jackson the next day at 3:00 a. m. We found the crowd "very numerous and a lot of them too." One who has not seen a like training camp can have no idea of what this is like.

All of our 31 have now been examined and inoculated. Some 8 or 9 of us "fell down" and will soon go back home. Two of our batch, H. V. Rose and William King, have been sent to the non-commissioned officers' school. We are at the present assigned to Company H, 321st Regiment of Infantry. We have plenty to eat and plenty of sleep and plenty of work to do.

Johnston County is quartered in the barracks with Hertford, Beaufort, Washington and Halifax County boys. We are a good delegation, and we invite the folks at home to watch for us. H. V. R. Camp Jackson, Columbia, S. C.

The use of "long sweetening" (sorghum syrup or molasses) in place of a part of our sugar will be an act of patriotism.

His Spelling His Undoing.

One homeopathic doctor who never talked much obtained a large practice. He would shake his head or nod over his patients and never say whether death or recovery would result.

But he possessed a rare natural sympathy and always attended the funeral of his patients.

This took much of his time, but he was always on hand, and the people thought highly of him. He knew the merits of aconite and belladonna, and this was really all the medicine that he ever gave and all that he knew anything about.

One day he made a fatal mistake. He had a call ten miles away and wrote on a slate and hung it up on his office door:

"Gon too Pin Crick, bak too nite." One of his allopathic competitors saw it and spread the news, and before the doctor got back half the town had read it.

That ruined his practice. The people could not forgive poor spelling. —Philadelphia Ledger.

The substitution of fruits for candy will help the French and English people, who are practically out of sugar and have no supply available except from this country.

THE NEWS UP CLAYTON WAY.

Miss McCullers Entertains Embroidery Club. Several Young Men Leave For Camp Jackson. Brief Mention of the Comers and Goers.

Clayton, Sept. 26.—Mrs. M. G. Gulley left Tuesday morning for Cary to visit relatives.

Mr. T. M. White, of Goldsboro, was here on business one day this week.

Mrs. W. A. Barnes, Mrs. D. L. Barbour and Miss Sidney Godwin spent last Sunday at Fort Caswell visiting the boys there. Mrs. Barnes has two sons there and Mrs. Barbour one.

Mrs. J. D. Gulley spent last Sunday in Selma with Mrs. W. R. Smith.

Miss Gladys Barbour left today for Trenton, where she will be engaged in the millinery business this season.

Rev. and Mrs. T. A. Sikes and Mr. and Mrs. E. L. Oneil motored to Greensboro Tuesday and spent the day with Miss Aldine Oneil who is at G. C. W.

Mr. C. W. Pender spent Tuesday in Durham on business.

Mrs. Vick Austin returned Tuesday from Benson where she has been visiting relatives for the past few days.

Mr. and Mrs. Paul Williams, Mrs. W. M. Turley, Mrs. C. B. Turley and Eloise Turley spent last Sunday in Benson with relatives.

Miss Cleo Ellis, of Meredith College, spent last week-end here with her parents.

Miss Minnie Stephenson left last week for Buena Vista, Va., to enter school at the Virginia University.

Among the town boys who left under draft this week for Camp Jackson, Columbia, S. C., are Garland Wall, Herman Duncan, Turner Vinson, Roy Gulley, Leaman and Luther Barnes.

On Tuesday afternoon from four until six o'clock, Miss Melba McCullers in her charming manner, entertained the girls of the Y. W. A. Embroidery Club. After much enjoyment in gossip and embroidery, Miss McCullers served delicious fruit salad, sandwiches and olives. Each one departed saying they had spent a most delightful two hours.

Mr. and Mrs. T. A. Wallace left Sunday for New York, Baltimore and other northern markets where Mr. Wallace will buy the fall and winter stock of goods for the firm of Ashley Horne & Son. Owing to the fire some time ago he was delayed in making this trip.

Miss Ruby Penny spent one day this week in Raleigh.

Mr. Otho Gulley spent a few hours in Selma last Sunday.

Mr. and Mrs. S. M. Spence made a business trip to Raleigh Wednesday.

Mr. B. H. Spence went to Raleigh one day this week.

A Governor Removed From Office.

James E. Ferguson was formally declared removed from office as governor of Texas and barred from hereafter holding any public office "of honor, trust or profit" by the adoption late Tuesday in the senate high court of impeachment of the majority report of a special committee of the senate. The majority report was adopted, after a minority report, recommending only removal from office, had been defeated. The vote on adoption of the majority report was 25 to 3, with one pair and one absent.

AT THE CAPITAL OF BOON HILL.

Princeton, Sept. 26.—Miss Mary Faulkner, of Smithfield, is spending this week with Miss Rochelle Hinton.

Mrs. Thos. McMay is visiting her sister, Mrs. Ed. A. Holt this week.

Mrs. W. J. Mason and family have rented their home in town and moved to Goldsboro to live.

Miss Ethel Baker has gone to Rock Ridge High School, in Wilson County, to enter as a student.

Mr. and Mrs. R. L. Cox and children, of Bentonsville, were visiting the family of Mr. C. H. Holt Saturday and Sunday.

Rev. J. M. Duncan, of Mt. Olive, and Mr. J. H. Jones, of Chicago, were in town Sunday a short while.

Nevins and Flournoy, of Raleigh, are having their saw mill and entire outfit moved away from here, after operating more than a year in this section.

The new gin, operated by electricity, is ready for business. They want cotton and more cotton. They expect to gin a bale every eight minutes. This gin is owned by the Wood Grocery Company.

RECORD OF LARUE COUNTY.

Not a Single Man Selected in the Draft Claimed Exemption. High Honor for County of Lincoln's Birth.

The Winchester, Ky., Democrat says Breathitt and Lee Counties for some time commanded the admiration of the State for the wonderful display among their men of patriotism at the first call for men to the war. Breathitt and Lee gave of their sons freely and when the draft came both of them had exceeded their quotas.

Now these records have been set back somewhat since Larue County, the birthplace of President Lincoln, came to the fore to lay claim to the laurels for patriotism. Larue was called to furnish 132 men for the new national army; 132 men were called before the local exemption board and 132 men passed the physical examination. Not one of the 132 selective claimed an exemption on account of dependents, and when 132 names were certified to the district board not one filed a claim for exemption on occupational grounds.

Larue has set a record that will live for ages to come. It is a demonstration of genuine patriotism that will go down in the annals of history to bear witness of the absence of the slacker among true Kentuckians.

Kentucky, in all of the wars of the nation, has given of her men to die heroically on the battlefield. Kentuckians have figured prominently in each and every conflict and it remains for her to now preserve the traditions. Truly she is doing it, bit by bit, but the Kentuckians of Larue County, those of the first draft, can command all honor for loyalty to the flag and their country.

THE BRITISH CASUALTY LIST.

Wounded and Killed in All Ranks for the Week Ending September Total 23,035.

Total casualties of all British ranks in all the war theatres for the week ending September 25th are reported officially to have been 23,035. The casualty lists are sub-divided as follows: Officers killed or died of wounds, 103.

Men killed or died of wounds, 4,430. Officers wounded or missing, 432. Men wounded or missing, 18,070.

For the week ending September 18 British army casualties amounted to 27,164. The report for the present week includes the operations in Flanders last Thursday when the British made a considerable advance, while in the previous week there was no marked infantry activity on any British front.

REPUBLICANS WIN OFFICES.

Road Commissioners of Ingrams Township Declared the Victors by Supreme Court.

Last Fall the returning board declared that the Democratic nominees for road commissioners of Ingrams township were entitled to the election certificates, even though they did not receive a majority of the votes cast. The Republicans had placed on their ticket three Republicans and because of this the ticket was thrown out by the returning board, which claimed that the ticket should have been composed of members of both parties. The ticket put out by the Democrats, headed by John W. Sanders, was declared elected. The Republican ticket headed by John T. Cole, went to court and the Superior Court gave the offices to them. An appeal was taken to the Supreme Court with the result that the lower court has been affirmed. S. S. Holt and J. D. Parker represented Cole and his associates, while the Sanders ticket was represented by F. H. Creech and Abell & Ward.

Union Meeting at Antioch Church.

The Baptists of this county will hold a Union Meeting next Saturday and Sunday at Antioch church in the northern part of the county. An interesting program has been prepared and sent out and a large attendance is expected.

The American people can enable the French to maintain their one ounce per day per capita consumption of sugar by reducing our consumption one-third.

CHANGE IN BIG ARMY PLANS.

First Draft of National Army Does Not Supply Adequate Number of Soldiers.

A Washington dispatch, dated September 26, says:

There is little doubt that a large deficiency of men will be shown when the first increment of the National Army—687,000 men—has been mobilized.

Seventeen National Guard divisions must be brought up to war strength and several special service forces organized out of this reservoir, so the number of drafted men remaining at the cantonments hardly will be sufficient to organize the sixteenth National Army divisions at a full strength basis. Whether incomplete divisions will be formed or a call for more men issued has not been indicated.

Secretary Baker said today that definite figures as to the number of National Army men it would be necessary to transfer to the National Guard were not available. Not only are these divisions being organized for the first time, but in the midst of that mobilization, the whole fabric of the infantry army is being reorganized on the new trench warfare plan.

The fighting strength of the new division is now fixed at 27,500 men. The seventeen guard divisions on that basis will have a total strength of 47,500 men.

The guard probably brought into the federal service a total of not more than 300,000 men, possibly less. It will take, therefore, at least 137,000 National Army men to fill up the guard division. Another 100,000 of the National Army will go to the air service and certainly as many to other special services. That would leave not more than 250,000 men to form the sixteen National Army divisions which should have an aggregate war strength of 433,000.

Secretary Baker pointed out today some of the difficulties that attend the reorganization of the National Guard for war purposes. While the sixteen divisions plan for the Guard, since extended to seventeen with the organization of the 42nd, or "Rainbow," division, as an old one, the whole fabric of the divisions has been changed. With the adoption of the European regimental and company standard, every guard regiment which was to be included in a division, had to be expanded. Regiments and parts of regiments are being consolidated to furnish the 3,600-men regimental units now desired.

EIGHT MORE GO TO COLUMBIA.

The Last Contingent of the 40 Per Cent for District No. 1 Went Wednesday.

The concluding contingent of the 40 per cent called from Johnston District No. 1, left Smithfield Wednesday for Camp Jackson at Columbia. They went in charge of Bragsdon Johnson. They are as follows:

James H. Clifton, Four Oaks. Robert P. Whitley, Smithfield. Sidney G. Barbour, Four Oaks. Madison B. Porter, Benson. Bragsdon Johnson, Smithfield. Derjus Thomas, Smithfield. Walter R. Strickland, Benson. Dudley Norris, Benson.

ELEVATION NOTES.

A large crowd from our section attended the Association at Dunn Sunday.

Mr. Ralph Medlin and sister, Miss Bell, went to Benson Saturday.

Mr. Allen and sister, Miss Earl Johnson, accompanied by Miss Lillie Parrish, of Barbour Town, passed through our section Saturday.

Mr. Arthur Stevens was a visitor in Pleasant Hill section for a few hours Sunday night.

Mr. Decker Creech, of Pleasant Hill, has been a welcome visitor in our section collecting Truck Farm seed for the next season.

Miss Layton Strickland spent last Sunday visiting Miss Corinna Creech. Messrs. J. A. Creech and T. E. Barbour, of Four Oaks, motored through our section Monday.

Mr. and Mrs. J. B. Lee, of Middle Creek section, were visitors at Mr. J. P. Strickland's Sunday. Benson, Route No. 1.

Count always your highest moments your truest moments.—Phillips Brooks.

GASTON MEANS GOES TO JAIL.

Waived Hearing and Held Without Bail for Action of Grand Jury. Did Not Want to Face Charges in New York.

Concord, N. C., Sept. 25.—Gaston B. Means waived examination in the midst of his preliminary hearing before a magistrate here late today and consented to be bound over to the October term of the Cabarrus County grand jury on the charge of having murdered Mrs. Maude A. King, of New York and Chicago. Magistrate Pitt ordered him held without bail.

Counsel for Means stated at the hearing that they had been informed that threats had been made that "New York officials here had brought extradition warrants to take the defendant back to New York" on "some undisclosed criminal charge" and they felt he would be safer in the custody of the sheriff of the county.

It was also announced that Means did not mean to run the chance of facing charges elsewhere with an unsettled murder charge against him in North Carolina. This charge, his counsel said, would be cleared up at the trial.

The agreement came after counsel for Means had made an unsuccessful attempt to get possession of papers and documents seized by District Attorney Swann's representatives in Means' New York apartment and was accompanied by a lengthy explanation by the defendant of his reasons for abruptly ending his fight in the magistrate's court.

The Church and War.

"I believe God's displeasure is resting upon Germany because of her disbelief in His Word, because of her disbelief in the divinity of His son," declared Rev. J. Wilbur Chapman, D. D., to a large Montreat audience during the course of a sermon in which he was making an appeal for the Church to do its full part in keeping the covenant which God has established between the Church and Himself, reports a correspondent of the Asheville Citizen.

Dr. Chapman made a number of references to the war and its relation to the Church in his sermons during the evangelistic period at Montreat. Speaking of America and the war, he said that America had reached the time when it had gone pleasure-mad, had been blinded by wealth, had lost its hold upon Christ and had forgotten God and His word, and that God is speaking through the numerous other calamities that have befallen the country in recent months and is urging men and women to hear Him when He calls. If they will hear, He will bless, but if they will not hear, they will be brought face to face with the judgment seat of Christ. He said further in this connection that the time had come when the Church had lost the consciousness of God, had lost the power of prayer and some ministers had pushed God into a secondary place, and that no Church or no nation can prosper when it crowds God out of its life.

Dr. Chapman has expressed the opinion that the present war will not end until the power of God intervenes and brings it to an end, and he urges that the great question before the Church in this regard is how to secure the favor of God to the extent that He will bring His power to bear in the near future and end the tragedy of battle. He insists that His favor cannot be secured until the Church so humbles itself as to give God the first place in its life, which is its rightful place, and lives so close to Him and in such harmony with His will that He will assert His power to bring peace to the earth and will "in wrath remember mercy." —Selected.

FLIES FROM ITALY TO LONDON.

Lavreati Covers 656 Miles in Seven Hours and Twelve Minutes.

London, Sept. 24.—Captain Laureati, of the Italian army, accompanied by an observer, today made a non-stop airplane flight from Turin, Italy, to London. He covered the 656 miles in 7 hours and 12 minutes.

Captain Laureati on August 29 established a new world's long distance record when he flew from Turin to Naples and return. The distance was about 900 miles.