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VOL. XCIX--NO. 327.

WILMINGTON, N. C., TUESDAY MORNING, AUGUST 21, 1917

WHOLE NUMBER 39,147

Two Eligibles Represented

by Thomas E. Watson

Asserts the Law in No Way Con-

travenes the 13th Amend-

ment to Constitution

To Render Decision on Watson's

"Jeffersonian"

Mount Airy, Ga., Aug. 20.—Fed-

eral District Judge Speer held the

selective draft law constitutional

in a decision made public here to-

on applications for writs of habeas

corpus for Albert Jones and John

Story, held in the Richmond coun-

ty Ga., jail, charged with violat-

ing the law and represented

contended that the law is in con-

travention of the involuntary ser-

To Decide "Jefferson" Case.

Judge Speer left for Fairfield, N. C.,

where it is expected he will decide

whether or not "The Jeffersonian", a

magazine published by Watson, shall

be allowed in the mails. It has been

denied admission by the postmaster at

Thomson, Ga., the place of publication,

Judge Speer in denying the writs, de-

clared that to agree to the contention

that the selective draft law contra-

venes the 13th Amendment would be to

Abhorrent to Truth.

the truth," said Judge Speer, "nothing

more degrading to that indispensable

and gallant body of citizens trained in

arms, to whose manhood, skill and cour-

age, is, and must be committed the task

nation and all that its people hold

Answering the contention of the pe-

titioners that by the common law it

"Nothing could be more abhorrent to

conclude that the soldier is a slave.

because it contained what had been

vitude amendment.

## MONSTER OFFENSIVES LAUNCHED RY BOTH ITALIANS AND FRENCH WITH NOTABLE ADVANCES MADE

Many Points Scenes of Heavy Battles, Wrested From the Germans Near Verdun

AIRMEN PLAYING BIG PART

Italians Endeavoring to Blast Way Through Austrian Lines Toward City of Triest

12,000 PRISONERS ARE TAKEN

Canadian Forces Gradually Closing in Upon Lens

(Associated Press War Summary.) With the British troops busily engaged in the successful parrying of German counter thrusts against newly won ground in Flanders, the French and the Italians have started monster offensives—the French gainst the Germans near Verdun and the Italians against the Ausrians from the region of Plava to ear the headwaters of the Adri-

Decisive Blows Struck.

Sharp, decisive blows have gained hat theatre, have leveled Austrian sonso river and are now at deadly rips with the enemy along a front f about 37 miles.

Nearly 12,000 Prisoners.

Nearly 12,000 prisoners already have een counted by the French and Italas, and doubtless this number will tails of the fighting are at hand. rians lost heavily in men killed or wounded and in guns and machine;

The new territory taken by ince started his most costly enterrise, the attempt to take Verdun, which resulted in utter failure as a ullitary maneuver and cost the lives tens of thousands of his men.

Notable among the captured posiimmits of Le Morte Homme, mans which were broken up by the in the third round. each fire with heavy casualties to he enemy. French airmen materially ded the infantry in the press forward, swooping forces and emptying eir machine guns into the ranks, and in fights in the air with German ecting machines 11 of which were

hurtling to the ground. Italian Airmen Active. Likewise, the Italian fliers are givtheir infantry valuable support, te than 200 of them being engaged attacking with bombs and machine as fire Austrian troops formation and the lines. At last accounts, the alian guns were energetically proling with the work of destruction the new positions taken up by the trians, endeavoring to ast a road ugh the defenses in order to make ps toward Triest, Austria's princi-

seaport lying at the head of the

te situation in Flanders and h and French continue to make at various points and to Lens daily are going further in-German line and now have the center virtually surrounded exeast. Even on this sector ints of the enemy from or into

Rumanians Driven Back.

communication. In the former invaders, while in fighting on the the infantry advance. ereth river 2,000 additional prisoners

again having been dropped by

### Daniels Principal Speaker.

POPE'S PROPOSAL

Lord Cecil Announces Conference Southern Republic Assured by THE U-BOAT'S ARCH ENEMY 27 OF THE MEN STILL HELD Sentiment Grows in the Senate to of Allied Governments Before Reply is Made Money Can be Obtained

U. S. NOT TO PARTICIPATE? WILL TRY

State Department Understands Lord Cecil's Announcement to Mean Merely That Allies Will Exchange Views Informally.

London August 20.-Lord Robert Cecil, minister of blockade and undersecretary for foreign affairs, announced in the house of commons this afternoon that the Entente allied governments would hold a conference before reply to the Pope's peace proposals would be sent to the Vatican.

STATE DEPARTMENT MAY NOT JOIN IN CONFERENCE Washington, August 20 .- Lord Cecil's statement in the British parliament today that the Entente govern-

replying to Pope Benedict's peace proments will exchange views, not that there is to be a gathering of premiers or foreign ministers for a formal con-So far there has been no occasion for

he State Department to join any of the several conferences which have been held in the capitals of the En-American army and naval officers have taken part in some of the deliberaitude on the part of the United States government is understood to have been due to no lack of sympathy or determining to co-operate fully, but rather to the conviction that so far these conferences have had to do with strictly European issues.

TWO BURNED TO DEATH WHEN AIRPLANE CATCHES ON FIRE

Buffalo, N. Y., August 20.-Charles A. Wall, Jr., and Richard H. Meade, were burned to death here late today when an airplane in which they were experimenting with smoke bombs caught fire in the air. Both men were reach embraces positions that have dead when the destroyed plane fell to iterally weltered in French and Ger- the ground. Wall was a civil engineer man blood in battles that have waged in training for aviation service. Meade was aviation instructor who came to Buffalo recently from the training camp at Mineola, L. I.

Negro Heavyweight Wins.

Rochester, N. Y., August 20 .- "Kid" timore, decisively outfought 'Gunboat" the folk carried the battle all the way, seldom giving Smith an opportunity to set himself for a telling punch. Smith

HERE FOR MEXICO

American Government That

American Bankers Have Only Been Waiting For State Department's Assurances That Loan Would

grown to the extent that it feels jus- the submarine. tified in extending moral endorsement

Officials of the Mexican government posals is understood at the State De- United States but American bankers partment as meaning that the govern- have been approached repeatedly with the suggestion that they finance the destroyer's guns. months ago in London. The London

do with the project. assurance of some sort could be had water attack from the rear and with from the State Department that their The exact character of the assurance now given them has not been revealed, path are to be expected. but it is understood that in the event a Mexican loan is floated in this country, President Carranza will agree to receive advice as to its expenditure and to a degree of supervision.

Mexico will try to obtain at least \$250,000,000. The Mexican congress authorized the floating of a \$150,000. 000 loan and in addition to that \$100, 000.000 will be asked for the rehabilitation of the railways.

Reports to the State Departmen both from Ambassador Fletcher and consuls continued to indicate a steady though slow increase in the strength of the Carranza gov-

GEN. MORRISON IS NOW IN COMMAND AT CAMP SEVIER

Greenville, S. C., Aug. 20.-Major General John F. Morrison, accompanied by his aide, Capt. Louis P. Ford, arrived Norfolk, a negro heavyweight of Bal- | here today from Fort Oglethorpe and posed of National Guard units of North vicious counter attacks by the claimed to have hurt his right hand District of Columbia, which will be trained at Camp Sevier.

# British Tanks Again Score Triumph Over the Germans

Creeping Out at Gray Dawn the Monsters Lead the Way While Infantry Follows

The easy the march of the Italian 3 FAMOUS FARMS OCCUPIED

British Front in France and Belgium, Aug. 20-(By the Associated Press)-In France is very calm as com- British tanks scored another triumph with last week, but both the in the capture of important German po- Raleigh Jurist Announces His Acceptsitions yesterday morning in the neighand the positions won in the borhood of the Ypres-Poelcapelle road Canadians north of St. Julien. It was a tank show almost from start to finish, and the infantry in this case played the part of supernumeraries in support of the leading actors, while large numbers of the enemy troops added a final melo-Wh. The Entente allied airmen dramatic touch by surrendering abjectleads lumbered onto the stage and "reached forth their shooting irons."

As recorded in the official communi- Southern Pacific Railroad pending in Rumania the Austro-Germans cation, the British captured German the Federal courts of California, instiforced back the Rumanians on defenses along a mile front to a depth tuted by the late E. J. Justice. Sides of the Oituse and Trotus of 500 yards. Among the strongholds He will leave for California in Sepleys, according to the Berlin offi- occupied were the famous Triangle, tember, will retain his citizenship here ttor more than 1,500 Rumanians and exceedingly strong concrete and steel and his family will not accompany him. Hibau and Cookcroft farms, the sites of

It was dawn when the tanks lined up and waited for the signal to go "over the top." The British artillery time next spring. His headquarters observing no less of chivalry to the will be either in San Francisco or Los Charleston, W. Va., August 20.—Sections than to the infantry in the past, of the Navy Daniels today ac- poured a preliminary stream of shells an invitation to deliver the into the German lines, then dropped a incipal address at the ceremonies to barrage ahead of the iron monitors, the ground of fraud many grants held her the deliber to barrage ahead of the iron monitors, the ground of fraud many grants held her the railroad company to thousands held here August 30 in connection which started forward, looking for all by the railroad company to thousands the head of the broad of screen of oil lands. The case as now With the breaking of ground for the the world like great dragons that had of acres of oil lands. The case as now will be as previously announced Septembers. Wernment armor plate plant and rolled out from one of Hans Anderson's on record has 16,000 typewritten pages tember 5. the "Cock Pit of Europe,"

The postponements are said to be due to delays in the local boards in get-lect a member of the trade commisted to attend the light that shrouded this battlefield in the largest amount ever instituted, ting their quotas ready for service.

The postponements are said to be due to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the trade commisted to delays in the local boards in get-lect a member of the place something like 3,000 men will als and brigadier generals recently the local boards in get-lect a member of the place something like 3,000 men will als and brigadier generals recently the local boards in get-lect a member of the place something like 3,000 men will als and brigadier generals recently the local boards in get-lect a member of the place something like 3,000 men will als and brigadier generals recently the local boards in get-lect a member of the trade commistance and the local boards in get-lect a member of the place something like 3,000 men will als and brigadier generals recently the local boards in get-lect a member of the place something like 3,000 men will be a local boards in get-lect a member of the place something like 3,000 men will be a local boards in get-lect a member of the place something like 3,000 men will be a local boards i

## JUDGE BIGGS SUCCEEDS LATE ED. J. JUSTICE

Will Go to California to Take Charge of Land Case

ance of State Department's Appointment-Leaves for the

West Next Month.

(Special Star Telegram.) Justice at Washington to take charge

machine guns fell into the hands of machine gun redoubts that menaced He will devote his time exclusively to the completion of the preparation of the cases until heard, which will be some

Angeles The suits were brought to cancel on

ers and Engine Makers as to Maximum Output

Most Effective Means of Hunting Submarines

Washington, August 20 .- Preliminary steps toward providing the navy with as many additional destroyers as American plants can turn out were taken by Secretary Daniels today at

the way of expanding their facilities. Navy officials will study the reports and suggest a definite plan for the timation to American bankers that its accomplishment of their purpose, which is to make the United States World is believed to have had a powfirst in destroyers, the arch enemy of erful influence in deterring the radi-

The main difficulty is to find facilities for turning out the engines. To- mitted, might have had serious re- Tomorrow Senator LaFollette is expectday's conference dealt largely with this sults.

hunter because of its speed and seagoing quality. The U-boats seldom expose themselves within range of a

The average underwater speed of submarines is about 10 knots an hour, turned out by the Germans have a bankers refused to have anything to surface speed of probably 18 knots. Steamers employed as troop ships were make not less than 12 knots an hour, averse to placing money in Mexico if so that they need not fear underdestroyer convoys to protect them ahead only chance encounters with submersibles which lie directly in their

> TO PROTECT AGAINST HIGH INTEREST RATES

> House Committee to Discuss the Issuance of Short Term Bonds For Domestic Needs.

> Washington August 20 .- The adissuing for domestic risability of series of short term bonds, payable n from three to five years, to prevent payment of high interest charges through a cheap money period which experts think may follow the war, wil be discussed by the House Ways and Means committee when it meets late this week.

Such a plan is being agitated in Eng land, where interest rates have mounted rapidly and much English data on and South Carolina, Tennessee and the inevitable have aroused interest in the issue of bonds for allied loans will carry four per cent interest in all probability, and a five per cent rate on all bonds if the war continues long is predicted by many.

CHERRY AND BERNFELD PLEAD

of Dentist Also Mixed In the Plot to Be Heard Next.

former members of the draft exempa ed to two years each in the Federal penitentiary at Atlanta after they had pleaded guilty to charges of conspiracy to obstruct the selective draft law Federal attorneys announced late today that speedy justice would be sought in the case of Kalman Gruher, dentist, indicted as an alleged "go between." The government charged that Gruher arranged with drafted men for payment of money in return for false exemption certificates. Louis I. Cherry and Dr. A. S. Bern feld are the former members of the board who pleaded guilty.

GENERAL PETAIN REVIEWS THE AMERICAN EXPEDITION

Expresses Delight at What He Saw-

American Training Camp In France, ment issued this evening Judge J. er in chief of the French armies, paid Crawford Biggs said he has accepted his first visit today to the American are carrying out raids on German ly or fleeing in terror as the heavy the appointment by the Department of self as delighted with what he saw.

The French general was accompanied by Major General John J. Persning, the American commander.

MOBILIZATION POSTPONED.

Date of Assembling Second and Third Increments Moved Back.

Washington, August 20.-Mobilization of the second increment of draft troops was today changed from September 15 to 19 and the third increment from September 30 to October 3. Mobilization of the first increment

The postponements are said to be due

Daniels Confers With Shipbuild- Arrests of Leaders by Military Au thorities Probably Had a Powerful Influence

Destroyer Has Been Proven the 15,000 Troops Available in the Four States Threatened. Farmers Are Organized

> dence of a general strike of construcvisible in the states of Washington, Oregon, Idaho and Montana tonight, and so far as could be ascertained, no attempt was made by any I. W. W. leader to carry out the strike order issued recently by James Rowan, district I. W. W. secretary, at Spokane. The swift and unexpected action last night of military authorities at Spokane in arresting Rowan and 26 other alleged Industrial Workers of the cal members of the organization from precipitating a strike which, it is ad- Hampshire, and Jones, of New Mexico.

> Clement Wilkins, in charge of Colonel Clarence W. Dentler, comprisoners and will be examined in a lette's speech, however, it is planned to few days. Some of them, it is said, proceed with actual consideration of will be released after the hearing, which will be conducted by Major Wil- Leaders have telegraphed absentees to Their arrest came on the eve of be present tomorrow. their proposed general strike because proposed action would interfere with the prosecution of the war.

It was announced today neadquarters of Colonel Dentler, at Portland, that fifteen thousand troops were available in the four Northwest states. In addition, the farmers and other agricultural and horticultural interests have perfected organizations for their mutual protection and are prepared to meet any situation.

RECOGNIZES "UNWRITTEN LAW" Lieutenant Douglas Malcolm Released by English Jury.

aw" was recognized by an English jury today almost for the first time

"Justifiable homicide in self defense,"

Douglas Malcolm who shot and killed a foreigner, Anton Baumberg, styling himself Count De Borch." returned on leave from France and found his wife with the so-called count. He attacked the "count" and aftercolm visited the "count's" London lodg-

ings and other lodged testified to hear-

They found the "count" dead.

Wilmington Or Fayetteville

Greenville, S. C., August 20 .- The hospital corps of the United States tion to raise and support armies. He regulars from Madison barracks under command of Sergeant C. A. Parish, ing a struggle followed by a revolver with 120 men reported at Camp Sevier this afternoon.

### JUDGE SPEER ISSUES DECISION UPHOLDING THE ARMY DRAFT LAW

**FAVUK INCREASE** Denies Habeas Corpus Writs of SOLDIER IS NOT A SLAVE

Advance Taxes on War Profits and Incomes

LaFollette's Address is Scheduled for Today-Finance Committee Disapproves Invoking of Cloture Rule.

Washington, Aug. 20.-Widespread sentiment in the Senate in favor of adding to the total of the war tax bill by imposing higher rates on war profits and income taxes received new impetus today with the opening of the third day. The decision was rendered week of debate. Speeches advocating such increases were made by Senators Johnson, of California; Hollis, of New ed to make his address in favor of levyng virtually all war taxes upon in-Senator King by Thomas E. Watson. the Northwest, are held as military during the day. After Senator LaFolthe income and war profit sections.

The Senate Finance committee today state and army officials consider their disapproved invoking cloture, but Senator Simmons plans soon to have a day fixed by agreement for a final vote. In advocating greater Federal levies on war profits and millionaires' incomes, Senator Johnson said the American youth had been conscripted and that swollen fortunes "coined from the blood of the nation" also should be drafted. He recommended that the government take 80 per cent of war profits as great Britain does-and half as

millionaires' incomes. Senator LaFollette introduced two amendments to the income tax section on behalf of the minority. One proposed increases in surtaxes and incomes between \$5,000 and \$7,500. An alternative amendment would have the principal surtaxes apply to incomes from within the recollection of the English \$5,000 to \$17,000 with a maximum of 33 per cent on those over the latter figure. of maintaining the very existence of the was the verdict rendered by a London duced an amendment proposing that in dear." coroner's jury in the case of Lieut. the computation of normal profits in-

Senator New, of Indiana, also introdustries which experienced abnormal depression during 1911, 1912 and 1913, the pre-war period fixed by the bill, could select any of the four years from thy young merchant before the war, 1909 to 1913 as the basis of fixing nor-

### was their right to "remain within the service beyond the borders of the United States. Judge Speer said the common law could not prevail against the exwhich was empowered by the constitudeclared that this power was not restricted in any manner and that Con-

Necessary for Defense Admitting that no express power was United States, building of the Panama Canal or to purchase Alaska.

gress may summon to its army every

itizen of the United States.

"This has all been done," he said, 'under the great power to promote the general welfare, just as the selective army will be created under the law here assailed to provide for the common defense and beyond and above all, is the inherent power of every nation, however organized, to utilize its every man and its energy to defend its lib-

OFFICIALS THINK QUESTION IS DEFINITELY SETTLED

Washington, August Speer's decision, in the first case brought to test the selective draft law, was made public tonight by the Department of Justice. Any question as to the act's constitutionality. officials believe, is definitely and completely disposed of by a Supreme Court will be established at either Morehead decision cited by the Georgia judge. It was in the case of the United States "Among the powers assigned to the national government is the power to raise and support armies. Its control over the subject is plenary and ex-It can determine without question from any state authority how

> voluntary enlistment or forced draft.' TROLLEY JUMPS TRACK.

Norfolk, Va., August 20.-Twelve

led from a sharp curve at Debree Av-There will be at least sixty airships enue and Twentieth street, and dashed

> Nominations Confirmed. Washington, August 20 .- Without

There was no intimation tonight as completely overhauled. It is estimated nominations of former Representative to whom the President will name. It now that something like 1,500 men will Victor Murdock, of Kansas, to the to whom the President will name. It go to the camp for training purposes Federal Trade Commission, and all was said he probably would not se- and including those who work around except two of nearly 200 major gener-Federal Trade Commission, and all

### May Land Aviation School Morehead City Had Been Practically Decided Upon But Lo-

## GOVERNMENT CONTROL OF COAL STEP NEARER

Robert S. Lovett Named Director of Priority Shipments

Coal For the Northwest Has Prefer-President Expected to Name Coal Administrator.

Washington, August 20 .- Government control of the coal industry mov- ville will get the prize. ed a step nearer today when President Wilson formally named Robert S. Lovett, of the War Industries Board, di- than one of the cantonments or Naof the government's cases against the fied with what I have seen during this rector of priority of transportation financial effect is not so bad. There inspection," he said. "Training has and approved an order issued by Judge are not as many men in one of the progressed so well that I feel certain Lovett directing that rail and steam- aviation schools but as a rule they cellent fighting force in a very short ship lines give bituminous coal ship- are of a high type of men and there- passengers were severely injured and ments to the Northwest preference for more desirable. It is estimated, a score of others bruised and shaken over all other freight movements.

dent is expected to appoint a coal administrator on whom he will confer for practice purposes at the camp at into a telegraph pole. A second wreck authority to control coal production all times. Each machine requires three occurred at 9:30 o'clock tonight when and distribution, including price-fixing men in addition to the man who op- a car of the same company jumped the erates the flier. Then there are hun- track at Church and Twenty-sixth powers given to the executive in the dreds of expert machinists who do streets, injuring two passengers. food control act. At an hour's confer- nothing but look after the engines ence with the Federal Trade Commis- used in the airships. No engine is sion he went over details of his plans. used more than twenty-four hours in Washington, August 20.—Without an airship before it is torn down and opposition the Senate today confirmed

cation May be Changed

BETTER THAN ARMY CAMP

(Special Star Telegram.) Washington, D. C., August 20 .- Wilmington and Fayetteville are making a fight for the aviation school which City, Wilmington or Fayetteville. A few days ago the War Department had practically decided to give the camp to Morehead City, but now it appears that either Wilmington or Fayette-

It is considered here that an aviation the army shall be raised, whether by school is really more desirable for a city from a financial point of view too, that for the money expended by up this morning when a car on the a city in comparison with the two Atlantic Terminal division of the Vir-Within the next day or so the Presi- the aviation school brings far greater ginia Railway & Power Company, hut-