

Ivangorod Taken, Fall of Riga Imminent; United and Semi-Autonomous Poland Plan of Germany--Russians Fighting Backward

ARMIES OF GRAND DUKE BATTLING AGAINST VAST ENVELOPING MOVEMENT

Seeking to Evade Closing Ger-
man Nippers, Grand Duke
Withdraws to the Right
Bank of Vistula.

GERMAN GOVERNOR OF
WARSAW TO BE NAMED

Believed Germans will Settle
Down to Trench Warfare
If Successful in En-
veloping Move.

Vienna, Aug. 6.—The occupa-
tion of Ivangorod yesterday by
the Austro-German forces has
been announced in an official tel-
egram from the front.

London, Aug. 6.—With the
great Russian fortresses of
Warsaw and Ivangorod captured
and with the fall of Riga,
capital of the Russian Baltic
Provinces imminent, the Aus-
tro-German onslaught in the
east has reached high tide and
the next event will be the Ger-
man emperor's triumphal entry
into the Polish Capital.

This event is likely seen to be
followed by the pronouncement
of a united semi-autonomous
Poland, embracing not only the
territory wrested from the Rus-
sians but also the Austrian
crownland of Galicia.

Meanwhile the Russian ar-
mies are fighting their way
backward toward Russia prop-
er, inflicting blows on their
pursuers wherever possible and
trying to fend the Teutons from
the railways to the north and
south of Warsaw in order that
the ends of the German nippers
may not meet and thus bring
ring disaster to the Russian
armies.

The position of Grand Duke
Nicholas' armies is a matter of
solicitude as the occupation of
Warsaw is believed to be the
prelude to an attempted en-
velopment of the retreating forces.

Petrograd reports show that
the Grand Duke had retired to
the right bank of the Vistula at
both Warsaw and Ivangorod,
destroying bridges and contest-
ing the German advance across
the river.

The occupation of Warsaw
has centered attention on a se-
ries of important events which
are now being arranged. The
first is the selection of a Ger-
man governor for the conquer-
ed territory. Reports indicate
that the appointee will be a
German Prince, possibly the
son of the emperor, or an Aus-
trian archduke, who will be
vested with an authority akin
to that which Napoleon con-
ferred on his brothers and mar-
shals as kings of occupied ter-
ritory.

Shells of Americans Frighten Haitien Rebels

Washington, Aug. 6.—American
forces are maintaining quiet at Cape
Haitien, Haiti. The battleship Con-
necticut, after landing marines at
Port-au-Prince arrived at Cape Hai-
tien, the latest center of revolution-
ary activity.

Dr. Rosalvo Bobo, with his troops
tried to enter Cap Haitien yesterday,
Admiral Caperton reports, but several
shots fired from the United States
coast survey yacht Eagle frightened
them away.

The commander of the gunboat
Nashville sent a warning to Bobo
that if he returned with unfriendly
intentions he would be fired on.

Cape Haitien is clear of armed
troops and of the revolutionists and
a movement has been started to form
a native committee of safety.

will meet Sunday to formulate
a proclamation declaring Pol-
and to be a semi-autonomous
state under joint Polish and
Austro-Hungarian rule. This
conforms with the recent decision
of the Polish congress at
Piotrkow, which provided for a
joint Polish army and full
Polish autonomy as was consist-
ent with the strategic interests
of Austro-Hungary.

The German offer of auton-
omy is regarded as a bid for the
support of the population of
Poland as against a similar de-
claration of Emperor Nicholas
proclaiming Polish autonomy
under Russian suzerainty. The
outcome of the event at War-
saw will probably determine
the political status of Poland
during the war.

What the Germans will do
next in a military way after at-
tempting the completion of the
enveloping movement is a mat-
ter of speculation. If the cam-
paign against the Russians is
not energetically pushed there
is possibility of the present vic-
tory being undone, and if the
offensive in the east is contin-
ued the Germans face the dan-
ger of a winter campaign in
Russia. Consequently it is
thought the situation may re-
sult in a compromise with the
Germans withdrawing part of
the armies from the east and
secure the defensive positions
which they have dug them-
selves.

Yesterday and last night
Bavarian troops under Prince Le-
opold broke through the forts
of the outer and inner lines of
the city's defenses, where the
rear guard of the Russian ar-
mies had made tenacious re-
sistance.

Continuing the report issued
by headquarters says.

"The German armies under
General Von Scholz and Gener-
al Von Gallwitz advanced in the
direction of the road be-
tween Lomza and Ostrov and
Zyszkow, fighting a number of
violent engagements. The brave
and desperate resistance of the
Russians on both sides of the
road between Ostrov and Rozan
was without success.

Courland a detachment of Rus-
sian Cavalry at a point near
Czenaize, Birschi and Oniskez-
lyta. A total of 2225 Russian
Prisoners was taken.

"The situation near and
north of Ivangorod remains un-
changed.

"The campaign is being con-
tinued between the Upper Vis-
tula and Bug rivers. German
cavalry has entered Wladimir
Wolynsk on the Bug.

"In the Vosges there has
been a new engagement near
Lingkopf."

From the beginning of the war the
salient in the Russian line formed by
the band necessary to include Warsaw
and a large portion of Poland had
been a thorn in the flesh of the Rus-
sian military authorities. They show-
ed this by their desperate move-
ments to straighten the front.

Simultaneously in East Prussia
on the north and in Galicia on the south,
the Russian armies began to push for-
ward. Twice in East Prussia they
were swept back, but before last win-
ter set in they had succeeded in press-
ing their way through Galicia, and
were nearing Cracow, which is almost
directly on a line south of the Polish
capital.

In the spring, however, after Prze-
myśl had fallen into their hands and
they were threatening the German
border and an invasion of Hungary,
came the organized Austro-German
movement which recaptured the great
Austrian fortress and swept the Rus-
sian lines back further east in some
sections than they had been early in
the war. The Warsaw salient thus
exposed hazardously from the south
was additionally threatened by the
German advance in the Baltic prov-
inces.

The first determined drive against
Warsaw from the west occurred last
October. Within a short time the
German advance guards penetrated to
within nineteen miles of the city.
Russian reinforcements from Galicia
were brought up and the Germans
swept them back to their borders.

Shortly afterward a second attempt
was launched from the same direc-
tion, and a great battle developed
along the rivers Warta and Vistula,
which turned in favor of the Russians.
Later pitched battles were fought
around Lodz, which the Germans cap-
tured on December 4. Another at-
tempt at Warsaw occurred in Febru-
ary, after the Russians had for the
second time been driven out of East
Prussia. This time the attack came
from the north and Field Marshal
von Hindenburg's forces reached and
captured Przemysl with 10,000 pris-
oners February 25. Three days later,
however, the Russians recaptured it,
and put the Germans on the defensive.

ANOTHER REVOLUTION DISTURBANCE IN HAITI

Washington, Aug. 6.—A new revo-
lutionary disturbance at Gonaves on
the west coast of Haiti is reported by
Rear Admiral Caperton, and he has
dispatched the naval tug Onocola with
forces to protect the customs house.

THE M'GOY CASE NOT DECIDED

United States Attorneys' so
Far Unsuccessful in Secur-
ing Removal of Defend-
ant Without Hearing.

COUNSEL DELIBERATE ON THEIR NEXT MOVE

Federal Authorities May be
Forced to Introduce Evi-
dence on Original War-
rant to Show Cause.

Up to noon today the federal gov-
ernment has failed in its attempts to
secure the removal of the Thomas C.
McGoy case to Fort Smith for trial,
without presenting evidence here be-
fore United States District Judge Boyd
to show probable cause for jury trial
of the defendant.

At 10:30 o'clock this morning the
attorneys in the case continued their
arguments before Judge James E.
Boyd in federal court in regard to the
alleged technical irregularities in the
bill of indictment. United States At-
torney Hammer admitted that there
was some force in the claim that the
indictment did not show a complete
record of the proceedings conducted at
Fort Smith when the bill was re-
turned charging the defendant with
conspiracy to defraud the government.

But he stated that the district attorney
who conducted the investigations
against the alleged conspirators in the
distillery business was in court and
that the affidavit signed by the attor-
ney would be offered as testimony
showing that the bill was regularly
returned by a grand jury after the ex-
amination of witnesses.

"A mere scrap of paper,"
Judge Boyd held that insufficiency
in such an indictment could not be
supplied by such evidence; that it
should have appeared in the paper
itself; and that with this omission
from the instrument his honor said
that to borrow a current phrase, he
was inclined to consider the bill a
"mere scrap of paper." He called at-
tention to the seriousness of the
charges against the defendant and
stated his conviction that the certified
copy of the bill of indictment on
which removal was sought should be
complete evidence in itself showing
probable cause for the trial of the
defendant. He told the government
attorneys that if they desired to con-
duct a preliminary hearing before
him he was ready to hear the evi-
dence.

This, however, is the alternative
that the government has been trying
to avoid, not wishing to "show its
hand" if probable cause can be shown
in any other way. The federal at-
torneys asked for might should be
complete evidence in itself showing
probable cause for the trial of the
defendant. He told the government
attorneys that if they desired to con-
duct a preliminary hearing before
him he was ready to hear the evi-
dence.

The government will probably an-
nounce its next move at the afternoon
session of the court.

Yesterday afternoon the attorneys
continued their arguments before
Judge Boyd as to the alleged defects
in the bill of indictment returned at
Fort Smith. The government coun-
sel argued that certification by the
clerk of the court was sufficient with-
out the name of the federal judge ap-
pearing on the copy of the bill. The
defense contended that such pro-
cedure was contrary to the rule and
custom in federal proceedings.

Intimating that he might consider
the bill properly certified Judge Boyd
asked the attorneys for their views as
to the completeness of the record
contained in the bill of indictment.
"There is nothing in the bill to show
it is claimed, that a grand jury was
ever sworn in or that witnesses were
examined as to the charges. On this
point the attorneys for the govern-
ment were unable to satisfy his hon-
or who reminded the federal repre-
sentatives that they still had the
privilege of showing probable cause
of removing the defendant for trial
by offering testimony on the original
warrant.

The prosecution asked for time to
further consider the form of the bill
of indictment and for this purpose
Judge Boyd adjourned court until
this morning at 10:30 o'clock.

Appearing for the government are
United States Attorney W. C. Ham-
mer and Special Agents J. H. Ham-
mer and J. H. Hammer.

THE FRYE CASE YET UNSETTLED

The Latest German Note Again
Contends Germany Had
Right to Sink Ship and
Justifies Course.

MATTER MAY GO TO THE HAGUE CONVENTION

American Importers Will Meet
to Consider Restriction of
Neutral Commerce and
May Urge Protests.

Washington, Aug. 6.—The contro-
versy between the United States and
Germany over the sinking of the
American sailing ship William P.
Frye remains unsettled with the pub-
lication of the latest German note
which again justifies Germany's
course and reiterates a willingness
to make reparation.

The reply to the latest American rep-
resentations in which Germany just-
ifies the sinking of the Frye adheres to
the previous contention that the sink-
ing of the steamer was not in contra-
vention of the terms of the Prussian-
American or international law.

Should the United States allow the
controversy to go to The Hague for
interpretation of the treaty or if there
is a continued discussion of the issue
through diplomatic channels, it is vir-
tually certain that Washington will in-
stinctively feel that Germany refrain
from further violation of what the
United States contends are neutral
rights.

Importers Acting.
New York, Aug. 6.—A general meet-
ing of importers interested in obtain-
ing German goods in America, has
been called for next week to consider
the British notes regarding the deten-
tion of American ships and cargoes by
the British government.

It is reported that the importers
will ask President Wilson and Sec-
retary Lansing to make a strong protest
against the British government's atti-
tude. Counsel for the American Im-
porters association say that organiza-
tion will probably meet also next week
to consider the same subject.

Regrets to Norway.
London, Aug. 6.—A Reuter's dis-
patch from Christiania says:
"Germany has informed the Norwe-
gian government that the sinking of the
Norwegian steamer Minerva was due
to unfortunate circumstances which
led the German submarine commander
to believe the vessel was British. Ger-
many expresses deep regret for the
action and willingness to pay dam-
ages."

SUPERIOR COURT CONVENES MONDAY

With Exception of One Week
There will be Six Weeks of
Court.

Superior court for the trial of civil
cases will convene here next Monday
morning at 10 o'clock for a session
of three weeks, with Judge B. F. Long
of Stateville presiding. This term of
court was scheduled to start on Mon-
day, August 2, but owing to the fact
that the annual meeting of the North
Carolina Bar association was held
here this week, local attorneys asked
Judge Long to move the court up one
week, which he did.

Immediately following this term
will come another term of three weeks
for civil cases on Monday, August 30.
Then with a rest of one week a term
of three weeks for criminal and civil
cases will convene on September 27.
Then with a week's rest a term of
three weeks for civil cases will con-
vene on October 25. A two weeks rest
will come between the ending of this
term and the beginning of the next
which convenes on November 22 for
four weeks of civil court.

FINAL PLEA TO GO TO MEXICO

RESOLUTION FOR SEVEN JUSTICES

Proposal Adopted by Lawyers
In Session Here—Senator
Root's Views.

It is generally regarded among law-
yers that one of the most important
resolutions presented to the North
Carolina Bar association at the con-
vention that closed here this week was
the proposal to increase the num-
ber of the state supreme court judges
to seven, allowing only five to sit at
one time on a case.

In offering this measure to the as-
sociation, which almost unanimously
endorsed the measure, A. L. Brooks
of Greensboro declared that the court
as at present constituted was most of
the time burdened with more work
than should be placed upon any re-
sponsible body. With two justices al-
ways free to study their cases and rest
it is argued that the court can remain
in session more continuously and ac-
complish more work without taxing
the strength of the judges.

General Theodore Davidson of this
city opposed the resolution, declaring
that the true remedy was to do away
with the custom of having the justices
give at length their reasons for any
and all decisions of the court. But
while granting the merits of the brief
reports in the old English law courts
cited by General Davidson many of
the attorneys believe that the Supreme
court decisions as at present handed
down are invaluable sources of infor-
mation both to lawyers and laymen.
It is pointed out that the opinions,
where important, are quoted in the
newspapers and thus become of great
value in educating the average citizen
as to his rights and of keeping him
free from that ignorance of the law
which is held by the courts to be no
excuse.

Mr. Brooks read a letter from ex-
Senator E. H. Root, president of the
New York Constitutional convention,
as to the workings of this plan in the
courts of that state.

The letter follows:
"I have your letter of June 24 mak-
ing inquiry about our New York plan
of having our Court of Appeals com-
posed of nine judges while only seven
are allowed to sit at any one time.
We have a similar provision regard-
ing our intermediate tribunal, the Ap-
pellate division of the Supreme court
in the first department which in-
cludes the city of New York. That is
the hardest worked court in the state
and is composed of seven judges,
while only five are allowed to sit in
any one case. This plan was intro-
duced by our constitutional conven-
tion twenty-one years ago when I
was chairman of the judiciary com-
mittee and I have taken great inter-
est in it. It seems to me to have been
an entire success in both courts. It
has greatly increased the effective
capacity of the court without destroy-
ing its homogeneity, as is the case
when the court sits in two divisions.
In the Court of Appeals, where there
are nine judges and seven sit in each
case, each judge has two-ninths of
the time off the bench to study his
case, write opinions, and rest, and
in the Appellate division each judge
has two-sevenths of the time. The
result is that instead of the court tak-
ing a recess every little while to
write opinions, it sits continuously
except for the summer vacation, and
the judges are always reasonably
fresh. I have heard of no one in the
present convention who exhibits a
wish to revert to the old system."

Upon the adoption of the resolu-
tion President J. Crawford Biggs
named the following to carry the
proposal into effect: President Louis
M. Bourne of the Asheville Bar as-
sociation, A. L. Brooks of Greens-
boro and H. F. Sewell of Carthage.

The message to Carranza will pre-
sent in a firm fashion the reasons
why he should adopt the course out-
lined.

It is not clear what will be done if
Carranza declines the offer.

SPECIAL TRAINS BRING WESTERN TOURISTS

Tourists from the west to the num-
ber of about 600 are arriving today
in Asheville to spend 15 days in this
city and the mountain resort region.
A special train from St. Louis and
Louisville is being operated in two
sections, each consisting of nine cars.
The first section reached Asheville
at 1:15 o'clock and the other section
was scheduled to arrive at 3:15 o'clock
this afternoon.

Pan-American Nations will Give
Factional Leaders One
More Chance to Com-
pose Differences.

APPEAL ESPECIALLY MEANT FOR CARRANZA

Program of Action to be Per-
fected by Conference and
Submitted to All Pan-
American Nations.

Washington, Aug. 6.—The confer-
ence between Secretary of State Lan-
sing and the six Pan-American diplo-
mats whose co-operation was sought
by President Wilson in his plans for
restoring peace in Mexico was con-
tinued today. No announcement will
likely be made until the conclusion
of the series of conferences which
began yesterday and the program is
perfected.

When a plan of action has been
agreed upon it will be submitted to
all the Pan-American nations for ap-
proval.

It is considered likely that one of
the first results will be a final ap-
peal to all the Mexican faction lead-
ers to accommodate their differences
and restore peace. This appeal will
probably be sent within a few days
and will be intended especially for
Carranza who has declined to partici-
pate in a peace conference. Villa and
other leaders have indicated a will-
ingness to participate in such a con-
ference.

It was disclosed that President
Wilson has been in correspondence
with the executives of the Latin-
American nations who have used that
the United States take the lead in a
strong position toward Mexico and in
this informal way have pledged their
support to a Pan-American concert of
action.

Yesterday's conference was given
over almost wholly to hearing a re-
port of conditions by Paul Fuller,
who spent several months in Mexico
as President Wilson's personal rep-
resentative. It was understood the
ground work was laid for further
action tomorrow when the conference
will be resumed, which will consti-
tute the first of a series of a suc-
cession of moves to end three years of
revolution and chaos.

No action was agreed upon and it
was understood that armed interven-
tion was not mentioned. Plainly it
was the intention of the conference
to exhaust peaceful means to bring
the Mexican factions together, fol-
lowing closely what has been the ad-
ministration's policy from the first
and to make it clear to the world
that there is no object other than the
preservation of the sovereignty of
Mexico and to save the distracted
country from itself.

At the conclusion the Latin-Ameri-
can diplomats uniformly stated they
had accepted the invitation with the
stipulation that discussion should be
confidential until a program had been
perfected.

One point upon which there seem-
ed to be unanimous agreement was
that there shall be no prolonged dip-
lomatic exchanges with General Car-
ranza as there were during the Niag-
ara conferences. The message which
will go to him will be delivered by
American Consul Silliman at Vera
Cruz who, under definite instructions
from Washington, will insist upon an
answer within a stipulated time.
General Carranza will be asked to lay
down his arms and join with his ad-
versaries in establishing a govern-
ment which the United States will
recognize. The leading powers of the
world, now awaiting the American
government's action, are prepared to
follow the lead of the United States.

The message to Carranza will pre-
sent in a firm fashion the reasons
why he should adopt the course out-
lined.

SOUTH CAROLINA BROTHER SUFFERS BROKEN ARM

Returning from the golf links yester-
day in the golf tournament at the
Country club, Col. C. S. Webb,
mayor of Greenville, S. C., fell in the
lobby of the Country club and suf-
fered a broken arm. He was at once
given medical attention and it was
stated soon afterward that he was
resting as well as could be expected.