

WASHINGTON DAILY NEWS

THE WEATHER—Generally fair tonight. Moderate easterly winds.

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WASHINGTON N. C. THURSDAY AFTERNOON OCTOBER 14 1925

No. 86

ABERNATHY LOST HIS CASE IN THE SUPREME COURT

JUDGE BOND REVERSED IN OPINION OF ACT PLACING HIM ON SALARY. MUST PAY \$600

Case Was an Extremely Interesting One. Abernathy Construed Act to Mean He Should Receive Half the Fees in Cases in Which Solvent Defendants Paid Costs.

Raleigh, Oct. 14.—Solicitor Chas. L. Abernathy lost his case before the Supreme court yesterday when Judge Bond reversed in the construction of a legislative act placing him upon a salary basis in Pitt county and the county commissioners appealed.

The case was intensely interesting and settled by a per curiam opinion which originally would have been short but involved so many points that Judge Walker went into every phase of it and left the prosecuting attorney without legal legs.

The 1918 general assembly passed an act authorizing and empowering the treasurer of Pitt county to pay to the solicitor a salary of \$600, "in lieu of fees now provided by law, which the said solicitor would receive from time to time from the county of Pitt on account of convictions in the criminal courts of said county."

Solicitor Abernathy construed the act to mean that he should receive half the fees in cases in which solvent defendants paid the costs in addition to receiving the \$600 salary. He gave to the senator and the representatives who declared that they had agreed with Mr. Abernathy that the fees should be his sole compensation and that all laws in conflict with the new act should be repealed. Mr. Abernathy accorded to them the right to understand him as they did but pointed to the printed word of the act to justify his reading of the law. On this the court agreed without dissent and that was that the solicitor and the judge did not read understandingly.

Mr. Abernathy declared that prior to the act he drew from \$1,500 to \$1,500 from Pitt in fees and that whatever the construction Pitt would be a matter of good faith he was willing to have the court construe the act null and void.

The court opinion written by Judge Walker begins by excluding all conflicting testimony between the legislators and the solicitor and announces that its judgment is not based upon any extraneous testimony. "We have not considered them at all and it is not within our province or jurisdiction to construe statutes by such extraneous matter," Judge Walker says. The court could not take into account the collective intent of the legislators it holds. The case is reversed and the solicitor pays the costs.

Attention Volunteer Firemen. You are hereby requested to assemble at the City Hall tomorrow afternoon at 1:30 for the purpose of attending the funeral of our late ex-Chief J. G. Chauncey. He has been our most enthusiastic and zealous fireman for the past forty years, and as a body we desire to pay our last respect to his memory. O. M. WINFIELD, Chief Fire Department.

Winger in Ink. Poor when ink gets stringy or too thick is caused by the action of the air. A few drops of winger put into the ink will make it usable again, but the better plan is to keep the ink in a covered container.

SEE CHAPLAIN TONIGHT AT THE **BELLMO** Se and 100—Come and Laugh! KEYSTONE COMEDY in 3 parts "A LOVER'S LOST CONTROL" Reliance—"The Bride of the Sea" "THE BLACK BOX" "Hidden Hands"—4 parts

DRESS-UP WEEK IS ALMOST OVER. TWO DAYS MORE

MERCHANTS STILL HAVE MANY BARGAINS TO OFFER LOCAL SHOPPERS. A BIG SUCCESS

Big Increase in Trade This Week. All Stores Are Doing Causal Amount of Business in Clothing for Men and Women.

You have been taught in your youth, you have heard repeatedly, you have read the advice of older heads that have traveled the stony paths of life, you have learned yourself, and you know now, that a cheerful, smiling countenance, an apparent light heart in the face of sorrow and disappointment, no matter how difficult it may be, will overcome a multitude of upsets, worries and troubles. You have learned, or should have learned ere now, that smiles and laughter, no matter how hard it may be to bring them to the fore in the face of distress, will surmount the most heart-breaking obstacles. In other words, if you put up a brave, cheerful front, never letting the world know that you are down, you have accomplished half in retrieving your lost ground and have put a decided "crimp" in dark, dismal failure. Why not apply this lesson to your habits of dress, which is just as much a part of your appearance as the character displayed in your face? It is fifty per cent of what you seem to others. And "smiling" apparel is fifty per cent easier to accomplish in the face of difficulties than a smiling countenance.

"Grim and bear it" is a maxim that's a thousand years young, and has discomfited many a triumphant enemy. Put a bit of "grim" in the clothes upon your back, brother. Don a "cheerful, pleasant" coat, and see how much easier you will find the paths to success. Be just as "happy" in your attire as you are in heart and soul, and see how much happier you will really be.

You have read, for the past few days how the merchants of Washington are conducting a campaign for "better dress." It is but the small ramification of a nation-wide movement of American merchants, aided by the efforts of all worthy citizens, to put the "smile" into the daily garments of real, live Americans. They have realized the benefits to be derived from putting up your best appearance at all times, not solely because of the benefits to themselves, but because they have made a study of the business, and by adding you they know that they naturally aid themselves. We all prosper together.

That is the reason of DRESS UP WEEK which began Monday and will continue until Saturday. You must supply the sparkle in your eye, the smile upon your lips, and the sunshine in your heart. They will show you how to put the warmth, the sunlight, the welcome in your garments.

Dress up your apparel and your disposition, and succeed with the merchants of Washington.

WASHINGTON TO PLAY KINSTON

Football Game Will Take Place Friday Afternoon. To be Played at Kinston.

The Washington High School football team will play the Kinston High at the latter's grounds Friday afternoon. This will be the first game of the series for the local team, the game with Winterville, which was to have been played last week, having been cancelled. Kinston is reported to have a strong team, and an exciting contest is expected.

Special Communication. A special communication of Orr Lodge No. 104 A. F. & A. M. is hereby called for this evening at 7:30 for the purpose of making the necessary arrangements for the funeral of our late Bro. J. G. Chauncey. By order of the W. M. O. M. WINFIELD, Secy.

BIG CIRCUS COMING HERE TON TOMORROW

GIGANTIC PARADE ON CITY STREETS TOMORROW MORNING AT TEN O'CLOCK. LARGE CROWDS

Expected That Hundreds of Out-of-Town Visitors Will Be in Washington Tomorrow to View the Many Attractions Here.

The red wagons come tomorrow. Three special trains will arrive in Washington early tomorrow morning from Kinston over the Norfolk Southern. Aboard will be the paraphernalia and equipment for two performances.

The circus specials will arrive thirty minutes apart according to the schedule given out yesterday morning by railroad officials.

Half a hundred clowns from mirthland's fertile field have been assembled this season by the management of the Carl Hagenbeck-Wallace Circus, which comes to Washington on Friday for performances at 2 and 5 p. m., and a three-mile long street parade at 10 o'clock in the morning.

One of the most interesting of these clowns is Arthur Borella, known the world over as the "Here's Me" clown. This is Borella's trademark, and for twenty years it has been his slogan and by-word. Whenever he appears on the hippodrome track he shouts these words. Little tots know him, for he has invigilated cheer and happiness into the hearts of millions of them.

Beneath Borella's make-up of vermilion and white there is a sober face that on a down-town street corner one would pick for a banker or business man. He dresses neatly, and there is an air of polish and bearing in his manners which stands in vivid contrast to the foolishly funny fellow who cavorts about in the big arena tent, working the flaps and making fire crackers do their full duty.

Mr. Borella is the originator of many clown novelties. He is the first person to successfully introduce baseball pantomime, and it was he who conceived the idea of having a goose follow him about the track on a supposed trip to the frontier as a soldier. This season Borella has a burlesque which he calls "Chicken," and it promises to break all records as a laugh-dispenser and a grouch-chaser.

Arthur Borella is the highest paid clown in the world. His salary is \$600 per week and all expenses. Only once in all the history of circus was this eclipsed and that was by the immortal Dan Rice, who once received a salary of \$1,000 per week.

MULE AND BUGGY WERE STOLEN

Property of L. L. Smith. Were Taken Out of Lot in Rear of Watson Hardware Co. Yesterday Evening.

Between six-thirty and seven o'clock yesterday evening, someone stole a mule and buggy belonging to L. L. Smith out of the lot in the rear of the Watson Hardware Co. Mr. Smith lives about five miles out in the country and had left the vehicle in the lot while he attended to some business matters in the city. It is claimed that a turnout, similar in description to that which was stolen, was being going over the county bridge at about seven o'clock yesterday evening. The police have been notified of Mr. Smith's loss, and are working on the case. A description of the mule and buggy appears in an advertisement in another part of today's paper.

SMASHED BY A ZEPPELIN BOMB



What the bombs dropped from the German Zeppelins in their recent raids over London did to the buildings where they fell is well illustrated by this photograph of a house in Shakespeare road, badly wrecked and seemingly about to collapse.

BUSY SESSION FOR RECORDER

Gambling, Speeding, Intoxication, Retailing and Other Offenses Are Punished.

The recorder had a busy session yesterday and a number of cases were disposed of.

Dave Latham, Joe Griffin, Charles Easton and Henry Soles, all colored, were found guilty of gambling and were fined \$5 with the cost divided among them.

Wiley Mills, George Manning, Warren Cranley and Fred Johnson were found guilty of leaving their transfers on Main street for too long a period of time. They were fined costs.

Jones Clark, for speeding, was fined \$2 and costs.

Will Harvey, intoxicated, was fined costs.

Tom Collins, colored, for retailing was found guilty. Sentence will be pronounced at this afternoon's session of court.

MISS NICHOLSON BECOMES BRIDE OF MR. WASHBURN

Marriage Ceremony Took Place This Noon at Home of the Bride's Parents, Dr. and Mrs. S. T. Nicholson.

Today at high noon at their home Dr. and Mrs. Samuel Timothy Nicholson gave in marriage their daughter Carlotta to Mr. Harold Jewell Washburn. Rev. E. M. Snipes, pastor of the Methodist church, officiating.

The bride's attendants were her sisters, Little Misses Carolyn Carter and Josephine Nicholson, her nephews, Master Louis Mann, and Misses Bernice Nicholson and Mary Hill. Mr. Washburn had as his best man Mr. Phil Ould, of South Boston, Va. Immediately after the ceremony a buffet breakfast was served the wedding guests, and Mr. and Mrs. Washburn left in their car for a tour of New York and Canada. After December the first they will be at home in Washington, N. C.

The out of town guests were Mr. and Mrs. I. T. Washburn, of Ossining, N. Y., parents of the groom; Mr. and Mrs. D. E. Taylor, of Hampton; Miss Elizabeth Duncan, of Raleigh. Mary Nicholson, of Bath, and Isabel Parker, of Pinetown.

DR. JOHNSON DIES SUDDENLY

Taken Ill at Conference at Robertsonville and Died Ten Minutes Later. Well Known Here.

Robertsonville, Oct. 14.—Dr. R. M. Johnson, of Scotland Neck, one of the leading citizens and philanthropists of eastern North Carolina and vice moderator of the Roanoke Baptist association in session here, died yesterday afternoon following an attack of acute indigestion.

Dr. Johnson read the report on the Thomasville orphanage and delivered a brief address. Then taking the chair as moderator, Archibald Johnson was addressing the association when Dr. Johnson left the platform and quietly entered a side room of the church. Immediately a request was made for a physician but none being present an automobile was rushed after one. In 10 minutes after leaving the platform Dr. Johnson was dead. The announcement made to the association was immediately followed by adjournment.

Dr. Johnson was for 20 years the co-worker of the late Noah Biggs, of Scotland Neck, and a leading worker in the Baptist denomination. The remains were taken to Scotland Neck tonight.

Dr. Johnson was apparently in perfect health and was happily bantering Archibald Johnson a few minutes before his death.

The work in Beaufort county is under the supervision of County Demonstrator J. F. Latham. Mr. Latham has been highly successful in his work and has met with close co-operation on the part of the farmers.

"GOOD TASTE" CRYSTAL ICE CREAM

—ALL THE POPULAR FLAVORS—
It is Fine. Especially Our Scuppernon Grape Cream.
—TRY IT—
Crystal Ice Company
PHONE 83 WASHINGTON, N. C.

J. G. CHAUNCEY PASSED AWAY

Old Resident of Beaufort County Died This Morning at 10:30. Funeral Services Tomorrow Afternoon.

J. G. Chauncey, aged 69 years, died at the home of Geo. E. Buckman, on East Second street, this morning at 10:30 o'clock. Funeral services will be held from the Methodist church tomorrow afternoon at 2:30 o'clock.

Mr. Chauncey has been in failing health for some time. It was realized yesterday morning that his death was only a matter of a few hours, for his long illness had so weakened him that he was unable to fight against death. He was born in Beaufort county near Tranters Creek. For over 30 years he has been a resident of Washington and was one of the most highly esteemed citizens here. He was a prominent member of the Methodist church and also a devoted member of the Masonic lodge. News of his death will be learned with the deepest regret on the part of his many friends in this section of the State. He is survived by his brother, William Chauncey, and a number of more distant relatives.

Pallbearers will be as follows: Active—F. W. Ayers, W. S. Frizzle, S. C. Carty, Geo. T. Leach, C. P. Bland and F. C. Kugler. Honorary—Fred Mallison, Harvey Carrow, D. T. Taylor, John Bonner, Jas. R. Grist, Dr. P. A. Nicholson, R. S. Neal, Geo. J. Studdert.

BEAUFORT CO. IS LEADING IN INOCULATION

Over Three Thousand Hogs Inoculated for Cholera in This County This Year. Halifax is Second.

Eastern District Agent R. W. Freeman gives the following report of hogs inoculated for cholera in his district during the period from January 1st to September 18th.

The County Agents doing the inoculation work have had special instructions in the matter, and hold a certificate from the State Veterinarian for doing that kind of work. It is not only a very popular phase of the Demonstration Agent's work, but it is one that is saving lives for the farmers.

County	No. Hogs Inoculated
Beaufort	3,210
Brunswick	335
Craven	982
Durham	117
Edgecombe	6
Greene	435
Halifax	2,293
Gates	76
Martin	865
Nash	158
New Hanover	44
Pasquotank	274
Pitt	1,570
Wilson	179
Total	10,775

The work in Beaufort county is under the supervision of County Demonstrator J. F. Latham. Mr. Latham has been highly successful in his work and has met with close co-operation on the part of the farmers.

GRAND OPERA COMING.

The great struggle for supremacy across the water has been the cause of sending to our shores many of the greatest artists in the realms of grand opera, among which is the entire National Opera Company from the National Theatre, Rome, Italy, an organization that for many years has been the apple of the eye of King Victor and the Royal family, who have been its first patrons.

The costumes and scenery are all that the opera requires for a perfect setting, and a performance of marked artistic perfection may be looked for.

The subscription sale of seats has shown that much interest is being manifested in the engagement, and it is doubtful if there will be many of the higher price seats left when the regular advance sale opens.

CIRCUS

HAVE BEGUN AN ATTACK ON THE SERBIANS

ANNOUNCED THAT BULGARIA HAS DECLARED WAR AGAINST SERBIA. GREECE NEUTRAL

Is Still Maintaining Attitude of Armed Neutrality. Little Development in Various Theatres of War Yesterday.

London, Oct. 14.—It is unofficially announced that Bulgaria has declared war on Serbia. Already Bulgarian troops have advanced to the attack on the Serbian flank. News regarding the progress of the fighting was lacking this forenoon.

Greece Still Neutral.

Greece is maintaining her attitude of arm'd neutrality. Athens advices state that the Greek government does not consider the existing situation a purely Italian affair, and that therefore, Greece is not bound by her treaty with Serbia to come to the latter's aid.

Toutonic Advance Progresses.

The T outonic advance in Serbia south of the Danube is admittedly progressing, although apparently with no great speed. The Serbians assert that the attacks on the Save front are being repulsed, despite the use of the heaviest artillery by the Tontons.

From the Dardanelles the only recent reports are from the Turkish side, recounting minor successes.

Decide on Concription.

A definite decision for it against conscription in Great Britain may be made at today's meeting of the British cabinet.

Sink German Ships.

British submarines are making inroads upon German commerce in the Baltic. Five steamers have been sunk, the latest reported being the Walter Leonhardt, of 1,261 tons.

MR. GAY TO TAKE UP NEW DUTIES

Will Begin Monday to Work as Field Secretary of the Anti-Saloon League. Continuing Services as Pastor.

Rev. R. L. Gay, pastor of the Baptist church of this city, will assume his duties as field secretary of the Anti-Saloon League next Monday. Mr. Gay will continue to fill the pulpit of the Baptist church at Sunday services, however, until November first.

In speaking of his new duties this morning, Mr. Gay stated that his work would consist principally in lecturing throughout the State on the more rigid enforcement of the State liquor laws and also advocating national prohibition. He is enthusiastic about his work and is confident that the efforts of the Anti-Saloon League will meet with great success throughout the country.

WILL HOLD TRAIN FOR CIRCUS CROWDS

T. H. Meyers, local agent of the Norfolk Southern, announced this morning that the train to Belhaven tomorrow afternoon would be held here until 4:45, instead of leaving at three o'clock, in order to accommodate the crowds who desire to attend the circus in this city tomorrow afternoon.

NEW THEATRE TO-NIGHT

"Hutchinson Musical Comedy Company" in Singing, Dancing, Comedy

PHOTOPLAYS "THE TIP OFF" a 3-reel Feature Price 10c 20

SEE THE WORLD BEFORE YOU GO TO THE MAIN ST.