

State Library

"Argus o'er the people's rights
Doth an eternal vigil keep;

No soothing strains of Maia's son,
Can lull its hundred eyes to sleep."

GOLDSBORO, N. C., THURSDAY EVENING, AUGUST 5, 1915

VOL. LXI

NO 103

DUTY OF COURTS TO GUARD CONSTITUTION

Treats Power of the Judiciary in Constructing Law

LAWYERS GATHER FOR ANNUAL MEET

Principal Feature Last Night Was Address of President—T. J. Harkins Delivers Address of Welcome—F. C. Harding Responds.

Asheville, Aug. 2.—In his address to the Bar Association at its opening session here tonight President J. C. Biggs made an extended argument for the right and duty of the courts to declare legislation null and void when in conflict with the written Constitution.

Recent criticisms of the doctrine and of the courts for being guided by it, together with the great principle involved and the importance of the question, were the considerations, Judge Biggs explained, which led him to treat the subject of "The Power of the Judiciary Over Legislation."

The criticisms of the doctrine as referred to by Judge Biggs were largely made, it is understood, by Chief Justice Walter Clark and the address of the president of the Bar Association was in the nature of a rejoinder to the well known contentions of the Chief Justice who on numerous occasions has discussed what he designates as "judicial tyranny."

More than two hundred representative lawyers in attendance from all sections of North Carolina and scores of prominent members of the legal profession of other States are here for the meeting, which is the seventeenth annual convention. The first session was given over to the exchange of greetings and the annual address of the President.

The first session was called to order at 9 o'clock and adjournment was not taken until shortly before midnight. J. Crawford Biggs, of the Raleigh bar, the President of the Association, was in the chair upon the calling of the meeting to order.

The address of welcome was delivered by Thos. J. Harkins, of the local bar, who expressed pleasure that Asheville had been chosen as the place of holding this year's gathering. He referred to the fact that former meetings have been conducted at this city and said that it is a tribute to Asheville that the attorneys have decided to return to the chief city of the Land of the Sky for the 1915 meeting.

F. C. Harding, of the Greenville bar, delivered the response to the address of welcome, declaring that the attorneys always welcome an opportunity to come to Asheville. He expressed delight that so many of the attorneys are accompanied by their wives and daughters, who are showing keen interest in the proceedings. He created laughter when he declared that "Every lawyer loves Asheville's sunshine with rosy hue, and most of us, your moonshine, too; and of us, I am told, there are yet a few who delight to sip your mountain dew."

Interested visitors are Senator Lee S. Overman and Gov. Craig, while Secretary Daniels and Senator Lewis, of Illinois, are expected to arrive in the city tomorrow to deliver addresses.

A. & N. C. R. E. STOCKHOLDERS MEETING.

The sixty first annual meeting of the Stockholders of the Atlantic and North Carolina Railroad Company will be held at the Atlantic Hotel, Morehead City, N. C. the first Thursday after the first Monday in August, it being Thursday, August 5th, 1915.

T. W. SLOCUMB,
Secretary.

WHEN BUYING

an annuity, the safety of the income is quite as much to be considered as the size of it. As to our strength, we take pleasure in referring to our 65th annual statement.

NATIONAL LIFE INSURANCE CO. OF VERMONT

(Mutual)
H. M. HUMPHREY, State Manager
Offices 403-4-5. Borden Building.
Goldsboro, N. C.

SECRETARY LANSING HAS QUADRUPLE OF NOTES

Three are From the British and One is From Berlin

DEFENDS EFFORTS OF THE ALLIES

German Note Makes No Substantial Change in the Original German Contention—Answer to British Notes Soon.

Washington, Aug. 2.—Three notes from the British government and one from Berlin, all dealing with the commercial rights of neutral nations in war time were before Secretary Lansing tonight. Two notes from Great Britain supplementing the one received last week and the German note received today. The British communications probably will be given out for publication Wednesday morning and the German note for the following day.

The first British note defends the allies' efforts to suppress trade between their enemies and neutral countries, even by the stoppage of abnormal commerce through the neutral countries adjacent to the Teutonic allies. Precedents in international law, established by the United States government itself during the Civil war in order to cut off supplies from the Confederate states, are reviewed to support this assertion of right.

The note was intended to meet the objection of the United States that previous British notes had dealt only with special cases of seizures and detentions of ships and cargoes under conditions that seemed to justify the British action, failing to answer the American contentions that the who's process of interference with neutral commerce was in violation of international law. After it had been dispatched new conditions arose that determined the British government to amplify its argument.

The second note of the series deals with this issue and it is understood that it sets up the contention that an actual blockade of the North sea ports exists and that regardless of the British orders in council there is an inherent right in the blocking powers under international law to suppress traffic of this kind.

The last note is in reply to the American caveat of July 17, saying the United States would be governed only by the principles of international law in dealing with cases of detention of American ships and goods, and would not recognize the orders in council. The British foreign office holds that the orders in council comply with the spirit of international law, though it is admitted that a new application of these principles to suit the new conditions developed in the war has been made.

British prize court proceedings wherein the magistrates have assumed that the orders in council were in conformity with international law provoked the American communication. The British contend that the United States government cannot assume that its merchants have suffered permanent injury, since there is always in reserve the right of diplomatic review of prize court decisions, and even for arbitration, under the special arbitration treaty between the United States and Great Britain.

The German note, continuing the discussion over the sinking of the American ship William F. Frye by a German commerce raider, deals with the American contention that not only international law, but also the special provisions of the treaty of 1828 between the United States and Prussia had been violated. The note makes no substantial change, it is understood, in the original German contention that while the treaty of 1828 does not confer special privileges and exemptions upon American shipping, these can all be met and the right reserved to sink merchant ships upon the undertaking to compensate the owners thereafter. The German formal declaration of a war zone is held to justify special measures to keep supplies from her enemies.

An answer to the British notes soon will be forthcoming. Predictions were lacking, however, of the course to be taken in regard to the German note.

A big feature production is offered every day at the Crystal for 5 and 10c. Ladies and children's matinee daily from 3:30 to 5:30 p. m.

DELIGHTFUL BIRTHDAY PARTY.

Monday morning, from 11 to 1 o'clock, little Miss Lois C. Southerland celebrated her eleventh birthday, by giving a porch party to her girl friends.

After games of Rook, Checkers, Parchessi, etc., refreshments were served by Misses Anna Dortch and Lillian D. Wooten, consisting of fruit punch, sandwiches, ice cream and cake.

Those who enjoyed the hospitality of Miss Southerland were: Misses Sarah Giddens, of Wilson, Elizabeth Bowles, of Statesville, Evelyn and Ruth Wilkins, Susan Borden, Della D. Slaughter, Virginia and Elizabeth Johnson, Mary Elizabeth Morris, Martha Lee Borden, Florence Faison, Elizabeth Stille, Martha Reeves Dortch, Audra McIntyre, Nannie Bridgers Hood, Elizabeth Hummel, Elizabeth Bizzell, Ester and Pauline Crowson, and Addie Spicer Southerland.

WARD-FUSSEL

Mr. W. A. Ward, a popular young barber, of this city, and Miss Mattie Fussel, of Rose Hill, were united in marriage in this city last evening at 8:30 o'clock, at the parsonage of Elm Street Methodist church, the pastor, Rev. J. M. Wright, officiating.

"THE SEATS OF THE MIGHTY" AT THE CRYSTAL TONIGHT.

The six part photoplay "The Seats of the Mighty" which was presented at the Casino, New York, by the World Film Corporation, originally extended to ten reels but has been cut or condensed forty per cent without sacrificing the interest or sequence of the story. In these days of universal information when all secrets of the motion picture craft are fully exposed this fact will no doubt be of interest to the myriads of fans who will see the picture at the Crystal today.

Experience has shown that in six or seven parts of approximately a thousand feet each you reach the limits of endurance of nearly all audiences. And this allows the producer of a picture to condense everything necessary in the way of action that is demanded of him, within such footage.

"The Seats of the Mighty" is a high grade feature film, containing French court scenes; duels; a battle; constant plotting and counterplotting; a love story with its attendant disappointments and delays before the lovers are finally united; almost every human passion is vividly illustrated in this picture. Nor are the beauties of art and nature omitted from it, the eye is as generously catered for as are your sympathies and antipathies. It is pure drama from start to finish without any padding or dragging.

The World Film Corporation in presenting the picture to the public feel that "The Seats of the Mighty" offers an ideal story in dramatic form, produced with lavishness and acted with power.

FEATURE PROGRAM AT THE POPULAR ACME TODAY.

Well, here's Billy Ritchie again, the pest of a fun maker, and Billie has them all lashed to the mask when it comes to a clean cut comedy and making the laughs grow where none ever grew before. He is the father of comedy, he was making 'em laugh when Charlie Chaplin and other would-be-comedians was toddling around the nurseries, "giddap" to their hobby horses. Billie Ritchie is like Johnnie Walker, still going strong in "A Doomed Hero", a two part L-Ko comedy, at the Acme today, Billie will be seen at his best.

Along with this comedy will be seen the fourteenth episode of "The Master Key". Remember that there is only one more episode after this one, and then the popular playhouse will have a pleasant surprise for their patrons.

A Powers drama of intense interest will also be seen with Sydney Ayers and Doris Pawn, assisted by Ruby Cox, one of the new Universals who has won many admirers for her good looks and her good work. The title of this drama is "The Stranger."

A strong Imp drama will also be shown, which will make as strong and interesting a program as one could wish for.

If it is good in pictures, you will find it at the Acme.

Diarrhoea Quickly Cured.

"About two years ago I had a severe attack of diarrhoea which lasted for over a week," writes W. C. Jones Buford, N. D. "I became so weak that I could not stand upright. A druggist recommended Chamberlain's Colic, Cholera and Diarrhoea Remedy. The first dose relieved me and within two days I was as well as ever." Obtainable everywhere.

RUSSIANS FIGHT HARD TO CHECK MACKENSEN

Movement of German General Threatens Russian Center

GERMANS TIGHTEN WINGS

Western Theatre Has Furnished Nothing to Alter General Situation—British Navy Sinks German Destroyer.

London, Aug. 2.—While the Austro-Germans continue to tighten the wings of their great eastern battle front, with success at both extremities, including the occupation of Mitau in the north and further progress beyond Chelm in southeast Poland, the situation before Warsaw proper remains unchanged and obscure.

Few additional details have reached London concerning the plans for the abandonment of the city, but apparently the time has not arrived for the Russians to relinquish their increasingly precarious hold on the capital, or at least, no word of its evacuation has come to London.

Ivangorod, southeast of Warsaw, heretofore erroneously reported invested, is now nearing that state in fact, according to the Berlin announcement, but from Ivangorod eastward to Chelm and beyond, the Russians, who had to abandon the railway, are fighting most desperately in an endeavor to hold up Field Marshal von Mackensen's advance northward into Poland, a movement which seriously threatens the Russian center, retreating from Warsaw.

The western theatre has furnished nothing to alter the general situation, and remained for the British navy to furnish an unexpected contribution to today's news with the sinking of a German destroyer off the German coast by a submarine, and a strange assortment of performances by another British undersea boat operating the sea of Marmora.

This craft not only crept so close to Constantinople as to launch torpedoes at lighters in the Golden Horn, presumably awaiting munitions from the arsenal, but with its guns bombarded and for a time tied up the railway skirting the Asiatic coast, delaying a troop train and causing havoc among the ammunition stores. In addition, the submarine considerably damaged Turkish shipping and sank one craft believed to be a gunboat.

Announcements in the duma at Petrograd and by the Russian ambassador at London indicate that Russia and England are anxious to brand as unfounded the recurrent reports that the Russian people are disgruntled at the showing Great Britain and France have made in the west, which might create a situation unfavorable to the continued unity of the allies.

No hint of a separate peace or of dissatisfaction with England's policy comes from any authoritative source, and Count Benckendorff made it plain that, while there may have been some sentimental popular feeling in his country for a diversion in the west to relieve the strain in Russia, there had been no criticism from those who understood the military situation.

EXCURSION RATES.

Don't forget to ask your ticket agent for Summer Excursion rates to Beaufort, N. C. Splendid hotels, delightful climate, fine fishing.

Ideal spot for rest; reached by Norfolk Southern Railroad Company. Take the wife and kiddies—Beaufort will make them all well and happy.

Patronize home resorts.
H. S. LEARD, G. P. A.

NORFOLK SOUTHERN RAILROAD New Short Route. SUNDAY EXCURSIONS TO THE SEA Beaufort—Morehead City.

Extremely low round trip fares from Goldsboro, Kinston, New Bern and all intermediate points. Tickets good on any regular trains. Returning special train will leave Morehead City at 9:30 p. m. for New Bern and stations west thereof, including Goldsboro.

For other information and tickets apply to your ticket agent.

WILLIAMS DRUG STORE SELLS IT CHEAPER.

TEACHERS' INSTITUTE.

A county teachers' institute will be held at Goldsboro beginning August 16, and continuing two weeks. The law requires the continuous attendance of all public-school, high-school, and graded-school teachers, unless provisionally hindered, or unless such teachers attend an accredited summer school in lieu of an institute. A certificate of valid attendance will be issued to all who deserve it at the close of the institute.

Every teacher will need to have Charter's "Teaching the Common Branches."

Primary teachers should bring all the books used in the first three grades, a pair of scissors, a box of crayola, and a pencil with soft, large lead.

Intermediate teachers should have all the text-books of the fourth, fifth, sixth, and seventh grades.

Prof. J. H. Highsmith of Wake Forest college, assisted by Miss M. Guereissen, of the Goldsboro schools, will conduct the institute for the white teachers at the new Goldsboro High School.

The colored institute will be conducted by Rev. C. Dillard and Mrs. Mary E. Dortch at the colored graded school.

Every teacher in Wayne county is cordially invited to attend the institute.

E. T. ATKINSON,
County Superintendent.

AT THE ACME TOMORROW.

"The Toll of the Sea" will be the special feature at the popular Acme, the home of the best in photoplays, tomorrow, matinee and night. In this play the action centers around the wreck of the Aggie Nord, which went to pieces off the Pacific Coast recently. This freighter was engaged in carrying wheat to Europe when she was caught in heavy gales and stranded on a coral reef.

As soon as Director Henry MacRea heard of this wreck he gathered a few of the death defying actors and actresses together with a camera man and went to the scene and made a sensational drama. The wonderful realistic scenes incorporated in "The Toll of the Sea" must be seen to be appreciated. The stars of this wonderful picture are Miss Marie Walcamp, the dare-devil of picturedom, supported by Sherman Bainbridge and Rex DeRosell.

Ben Wilson and Dorothy Phillips will be seen in a single reel comedy-drama, "A Happy Pair".
Captain Kent's Trained Seals will also be a feature of the program.

A big feature production is offered every day at the Crystal for 5 and 10c. Ladies and children's matinee daily from 3:30 to 5:30 p. m.

EAST CAROLINA TEACHERS TRAINING SCHOOL.

A State School to train teachers for the public schools of North Carolina. Every energy is directed to this one purpose. Tuition free to all who agree to teach. Fall term begins September 21, 1915.

For catalogue and other information address

ROBT. H. WRIGHT, Pres.
Greenville, N. C.

Mosquito Bars, ceiling or combination. Jelly Glasses, Masons Jars, Extra Rubbers and Tops. Parker Furniture Company. 5ts

FOR RENT.

Desirable 8-room house on E. Walnut street. All modern conveniences. 8-room house cor. John and Pine Sts. All modern conveniences. Several desirable rooms in Arlington Flat. All modern conveniences. Apply to
National Bank Bldg.
N. E. BRADFORD,

NOTICE.

Having qualified before the Clerk of the Superior Court of Wayne county, North Carolina, as executrix of the last will and testament of Mary Everett Kennedy, late of said county, the undersigned hereby notifies all persons having claims against the estate of said Mary Everett Kennedy to present the same duly verified to the undersigned for payment on or before the 20th day of July, 1916, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate are requested to make prompt payment to the undersigned.
This 16th day of July, 1915.

AMY J. STEVENS,
Executrix of Mary Everett Kennedy, deceased, 213 N. Va. St., Goldsboro, N. C. 6w

GEN. VILLA DEFIANT TOWARDS U. S.

He Ends Tirade By Confiscating All Stores in Chihuahua City

SIX MERCHANTS ARE EXECUTED

Tells Foreigners He Will Send Them to Border on Train Without Bread or Water, Wires Are Open to Them and Can Protest.

El Paso, Tex., Aug. 2.—"The American government can go to hell," declared Gen. Francisco Villa, addressing a gathering of foreign merchants at Chihuahua City, Saturday.

Shortly after he confiscated a number of the merchants' stores. Forty-two Mexican merchants were jailed after the conference held Saturday for the purpose of raising a forced loan. Six were executed. Such was the substance of reports brought here today by foreign merchants.

According to the merchants, Gen. Villa stamped up and down the room where foreign and Mexican business men were assembled in the governor's palace and shook his fist in the faces of the thirty or forty present.

"I am going to take your business for the benefit of the state," he declared. "Tomorrow at noon a train will be ready to take you foreigners to the border. We are poor here and I will not send bread or water on the train. Meanwhile you Americans and Germans and Frenchmen, my telegraph wires will be open to you and you can protest to your governments.

"If the American government does not like my action, it can go to hell. I have been fighting for twenty years and I am willing to fight as many more."

The tirade ended, it was said, with a general order for the confiscation of all stores in Chihuahua by the Villa government.

The train which was to carry the expelled merchants to the border was due to leave Chihuahua City Sunday at 11 a. m. It had not arrived at the border today.

A general denial that foreign merchants were expelled by General Villa, that there were any executions of Mexican merchants Saturday at Chihuahua City or that General Villa used any "insolent" language toward the United States government was made tonight by General Orenales, commander of Villa forces at Juarez.

A big feature production is offered every day at the Crystal for 5 and 10c. Ladies and children's matinee daily from 3:30 to 5:30 p. m.

Mosquito Bars, ceiling or combination. Jelly Glasses, Masons Jars, Extra Rubbers and Tops. Parker Furniture Company. 5ts

WILLIAMS DRUG STORE SUCCESSFUL Induced Dr. Howard Company to Make Special Prices.

After a great deal of effort and correspondence Williams' Drug Store, the popular druggists, have succeeded in getting the Dr. Howard Co. to make a special half-price introductory offer on the regular fifty cent size of their celebrated specific for the cure of constipation and dyspepsia.

Dr. Howard's specific has been so remarkably successful in curing constipation, dyspepsia and all liver troubles, that Williams' Drug Store are willing to return the price paid in every case where it does not give relief.

Headaches, coated tongue, dizziness, gas on stomach, specks before the eyes, constipation, and all forms of liver and stomach trouble are soon cured by this scientific medicine.

So great is the demand for this specific that Williams' Drug Store has been able to secure only a limited supply, and every one who is troubled with dyspepsia, constipation or liver trouble should call upon them at once, or send 25 cents, and get sixty doses of the best medicine ever made, on this special half price offer with their personal guarantee to refund the money if it does not cure. 24-37 m3-6

CASTORIA

For Infants and Children
In Use For Over 30 Years
Always bears the Signature of
Wm. L. Stearns

FEDERAL AND STATE CLASH IN CHICAGO

Solicitor Thurman Resents the Handcuffing of Federal Inspectors

FIGHT FOR JURISDICTION

Application For Writ of Habeas Corpus to Take Officials From State Officers Made to Judge Landis Who Will Hear Case Today.

Chicago, Ill., Aug. 2.—Conflict between the Federal Department of Commerce and MacLay Hoyne, State's attorney, arose today at the investigation of the Steamer Eastland disaster because Robert Reid and C. C. Eckliff, Federal steamboat inspectors, who gave the Eastland its last license, were brought before Secretary Redfield and the Steamboat Inspection Service Board handcuffed together.

Application for a writ of habeas corpus to take the inspectors from State officers was filed in the United States district court by the inspectors' attorney after a consultation with Solicitor Thurman, of the Department of Commerce. Judge Landis will hear the case tomorrow.

During the day several members of the steamboat inspection service testified before Secretary Redfield, who is conducting an inquiry as provided by the rules of his department. Later in the day while Ira B. Mansfield, inspector of hulls at Chicago, was testifying Inspectors Reid and Eckliff, who had been arrested on a coroner's mittimus were brought into the room handcuffed to a deputy sheriff.

"If these government inspectors are to be handcuffed and treated in this manner by State officers," said Solicitor Thurman, "I shall start a fight for jurisdiction over them."

State's Attorney Hoyne, was called to confer with United States District Attorney Clyne and Mr. Thurman. Mr. Hoyne said he did not order the sheriff to handcuff the inspectors. He also stated he would oppose the removal of the inspectors from the jurisdiction of the State.

A big feature production is offered every day at the Crystal for 5 and 10c. Ladies and children's matinee daily from 3:30 to 5:30 p. m.

Administratrix's Notice.

Having qualified as Administratrix of the estate of C. V. DeVane, all persons holding claims against the said estate are hereby notified to file said claims with the undersigned on or before the 27th day of July, 1916, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will make immediate payment.

This 24th day of July, 1915.
MARY FAISON DEVANE,
Administratrix.
ROUSE & LAND, Attorneys.

NOTICE.

Having qualified as administrator of the estate of J. T. Hooks, Jr., deceased, late of Wayne County, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned at Fremont, N. C., on or before the 25th day of June, 1916, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.

This 24th day of June, 1915.
GEO. L. HOOKS,
Adm. of J. T. Hooks, Jr., dec'd.

Acme Features

TODAY'S PROGRAM.

"A DOOMED HERO"
Two reel L-Ko Comedy.

"THE MASTER KEY"
Fourthteen Episode.

"THE STRANGER"
Powers drama with Doris Pawn, Sydney Ayers and Ruby Cox.

TOMORROW'S PROGRAM.

"THE TOLL OF THE SEA"
Showing wreckage on the Pacific coast featuring Marie Walcamp, Sherman Bainbridge and Rex DeRosell.

"A HAPPY PAIR"
Featuring Dorothy Phillips and Ben Wilson in a single reel comedy.

CAPTAIN KENT'S TRAINED SEALS