

# The Watchman and Southron.

THE SUMTER WATCHMAN, Established April, 1880.

"Be Just and Fear not—Let all the ends Thou Aims't at be thy Country's, Thy God's and Truth's."

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## ALLIES CHECK THE GERMANS

### Russians Come to Aid of Allies in France and Belgium With Half Million Men

### Victorious Course of Russians in Prussia and Austrian Poland Continues and Opponents Fall Back Before Them—Reported Talk of Surrendering Paris to Avoid Damage to City by Shells—England Calls for More Volunteers, Fearing Long, Hard War.

#### ADVANTAGE WITH ALLIES.

##### German Advance Checked in Vicinity of Verdun.

Paris, Sept. 4.—The military governor announced this afternoon that an advantage had been gained by the British and French troops since the fighting was resumed this morning. The Germans have been checked in the vicinity of Verdun.

#### Russian Troops in France.

New York, Sept. 4.—Seventy-two thousand Russian troops are now in France and Belgium fighting with the allies and a half million more are on the way from Russia to aid in the fight against the German invaders, according to passengers arriving aboard the Cunarder Mauretania last night. The Russian army is reported to have landed at Aberdeen on the night of August 27th.

#### Russians Continue Victorious.

Bucharest, Sept. 4.—It is reported that the Russians occupied Czernowitz without resistance and are marching on Suczawa, near the Roumanian border.

#### Russians Driving Austrians.

Petrograd, Sept. 4.—The general staff states that Russians have driven the Austrians back along the front of two hundred and fifty miles, capturing Czernowitz and Zolkiew. The Russians are now using Lemberg as a base of operations against Austria.

#### Ostend Expects Battle.

Ostend, Sept. 4.—All Austrians have been ordered to leave within twenty-four hours. British, French and Belgians are advised to leave immediately. This indicates that fighting is expected here.

#### German Communications Threatened.

Lausanne, Switzerland, Sept. 4.—One hundred thousand Austrians are rushing to the reinforcement of the German left wing which is menaced by the steady advance of the French in Lorraine. It is believed that the French advance is a movement to cut the entire German army off from its base of supplies and force its surrender.

#### Turkey Mines Dardanelles.

Rome, Sept. 4.—The Dardanelles has been mined by Turkey, thus bottling up the Russian Black sea fleet.

#### Allies Still Falling Back.

Paris, Sept. 4.—The allies' left wing has fallen back to the third line of defenses. Meziers is reported captured by the Germans. It is reported that the Germans are bombarding Senlis, 32 miles northeast of Paris.

#### 750,000 in Battle at Rheims.

Berlin, Sept. 4.—An official statement said today that 750,000 men were engaged in the battle Wednesday between Rheims and Verdun. France. No details were given of the battle.

#### EIGHT ARMY CORPS ROUTED.

##### Russians Control All of Eastern Galicia.

Petrograd, Sept. 4.—The minister of war announced today that Austrian troops who had been routed in the recent fighting in Galicia consisted of eight army corps, three hundred and twenty thousand men, and that the Russians were the absolute masters of all eastern Galicia.

#### GERMAN BOATS CRIPPLED.

##### Seven Damaged and Others Reported Sunk Near Kiel Canal.

London, Sept. 4.—Seven German torpedo boats arrived at Kiel today badly damaged. It is understood that others were sunk in the vicinity of the Kiel Canal. (Official.)

#### England Calls for Help.

London, Sept. 4.—Premier Asquith today appealed to the country for more volunteers. He made it plain that the government anticipates a long, hard struggle.

## "STAY LAW" IS ILLEGAL.

### COURTS DECIDED OVER 10 YEARS AGO THAT IT WAS UNCONSTITUTIONAL.

### State's Court of Error Denied Legislature Right to Suspend Legal Remedies in Carew Case.

Columbia, Sept. 5.—Certain citizens who met in the office of the governor Wednesday having by resolution requested him to convene the legislature in special session, to pass among other things a "stay law" or bill "for the extension of all indebtedness," the question arises whether such an enactment would be constitutional. Under State vs. Carew (13 Rich. L. p. 468) such a measure is unconstitutional.

The resolution adopted at the conference Wednesday, presided over by John G. Richards, contemplates the passage at the desired special legislative session of—

"First. A bill, such as in their judgment is wise and expedient for the extension of all indebtedness for such period as may be calculated to insure such relief to the debtors of this State.

"Second. A bill, under the police powers of the constitution, restricting the acreage in cotton throughout the State for the year 1915."

Without attempting to discuss the constitutionality of the proposed second bill, or whether its consideration could not be better postponed until January next, it is pertinent to inquire, before incurring the expense of an extra session of the legislature, whether the proposed first bill is within the power of that body to enact, the governor to approve or officers of the State to enforce. Such a proposed bill is commonly denominated a "stay law," that is to say, a law which for a designated period of time stays suits on past due claims and the collection of judgments according to their terms.

Under the extreme exigency of the times, the legislature of this State, on December 21, 1861, passed an act entitled, "An Act to extend relief to debtors and to prevent the sacrifice of property at public sales." By its terms, it prohibited any officer of the State from serving or executing any mense or final process of any of the courts of this State for the collection of money until after the expiration of the session of the legislature, which would convene in November, 1862. This act was renewed and extended in February, 1863, December, 1863, December, 1864, and again in December 1865 until the adjournment of the legislature, which would convene in December, 1866.

With so many of the people, including lawyers, in the army during the war, and the unwillingness of many to enforce payment in a depreciated currency, no question was raised in the courts as to the validity of these several acts, until the spring of 1866, when a proceeding was instituted by rule against the sheriff of Charleston, and was carried by appeal to the court of appeals. As a constitutional question was involved, the court of errors was convened. The court included all the judges of the State, three of the court of appeals, five law judges and three chancellors—eleven in all. The case was fully argued by Messrs. Lord and Spain on one side, and by Messrs. Harlee and Sellers contra.

The opinion of the court was delivered by the chief justice, concurred in by his two associates of the court of appeals, four of the law judges and the three chancellors—one law judge dissenting. The decision was that "So much of the acts of 1861 and 1865, commonly called the stay law, as declares that it shall not be lawful for any officer to serve or execute mense or final process for the collection of money is void, because repugnant to the provision of the constitution of the United States 'that no State shall pass any law impairing the obligation of contracts,' and the similar provision of the constitution of this State." See State vs. Carew, 13 Rich. L. p. 488.)

From this decision it follows that the date of payment of a contract is a part of its obligation which can not be shortened or extended by the legislature of any State; and any attempted prohibition, postponement or suspension by the legislature of existing legal remedies must be held null and void by the courts of this State and of the United States.

#### Mourns Tens of Thousands.

London, Sept. 5.—The Copenhagen correspondent of The Standard says: "The Germans are mourning 100,000 dead."

## THE NEW BANK SYSTEM.

### FEDERAL RESERVE BOARD TO BEGIN ORGANIZATION OF SYSTEM DIRECTLY.

### Generally Accepted That the New Scheme Can be Put into Operation by October 1—Twelve Banks to be Ready Soon After That Time.

Washington, Sept. 4.—After all day conference with clearing house delegates from all the districts concerned the federal reserve board announced tonight it would proceed immediately with the organization of the 12 reserve banks provided for by the new currency system. It generally is accepted the system can be put in operation about October 1. The actual opening may be delayed but it was said the 12 banks would be ready to do business within the next six weeks.

According to members of the board there was little hostility shown at the conference to early opening of the new system. The conference was confined closely to the question of opening and to a discussion of the foreign and domestic exchange situation. Delegates furnished such information as they possessed, but left the board without much concrete knowledge as to the exact situation throughout the country. A committee was named to consider foreign and domestic exchange and formulate a plan by which American obligations to Europe can be adjusted without taking gold out of the country. In consequence of the meeting, there will be no effort on the part of the reserve board to name the Class "C" directors for the reserve banks for some time. Every other step which must precede the opening of the banks will be laid out before the directors are announced.

Following is the conference exchange committee: J. B. Forgan, First National bank of Chicago, chairman; B. F. Strong, Bankers' Trust company of New York, L. L. Rue of Philadelphia; Sol Wexler of New Orleans, T. B. Beale of Boston.

#### WORKING ON WAR TAX.

### Congress Will Lose No Time in Providing for Needed Revenue.

Washington, Sept. 5.—The ways and means committee is today formulating plans to raise a hundred million war tax. No time will be lost in enacting the measure into law. The tax is likely to be placed on gasoline, railroad tickets, freight, beer, and inheritances, soft drinks chewing gum, and theatre tickets may also be taxed.

#### CAN STORE 900,000 BALES.

### Charleston's Warehouse Capacity 200,000 Bales.

Columbia, Sept. 4.—That Charleston has storage facilities for 200,000 bales of cotton is the information made public this morning by Commissioner E. J. Watson. Mr. Watson said that Savannah, Ga., has storage room for 462,000 bales of cotton. Exclusive of Savannah Mr. Watson estimates that South Carolina has storage facilities for upwards of 900,000 bales of cotton, basing this estimate on the census of warehouse room, which he has made from reports received from all parts of the State.

#### "BUY A BALE" PLAN.

### Atlanta Citizens Contract for 301 Bales First Day.

Atlanta, Sept. 4.—The "buy a bale of cotton" movement which has been designed to relieve the cotton market situation brought about by the European war, was taken up in Atlanta today at a meeting of prominent citizens who contracted for the purchase of 301 bales. Other meetings of a similar nature are to be held and it is planned to organize a systematic campaign for the purpose of furthering the movement.

The scheme already has been adopted in other parts of the South and it is planned to extend it to every town and city. The plan is to induce every individual in the South to buy at least one bale of cotton at ten cents per pound direct from the farmers and place it in a warehouse for one year.

#### POTASH SUPPLY MAY FAIL.

### No Fear is Felt as to Nitrates From West Coast of South America.

"Nitrates will come as usual from South America," stated Commissioner Watson yesterday, "and probably in greater bulk, as the war in Europe does not affect the nitrate situation. It is the potash supplies that are worrying us."

## GERMAN ADVANCE STAYED

### No Move to Make Attack on Defenses of Paris.

### MEN OF FRANCE AND ALLIED ARMIES CANNOT UNDERSTAND CONTINUED RETREAT BEFORE GERMAN ADVANCE WHEN THEY HAVE NOT BEEN DEFEATED—THEY ARE SUPREMACY CONFIDENT THAT GERMANS CANNOT TAKE PARIS FORTS—RUSSIAN AVALANCHE MOVING ON ROAD TO BERLIN.

#### Prisoners Held by Germans.

Berlin, Sept. 5. (Delayed)—The Tageblatt states that the following prisoners are now held by the Germans: French, 263 officers; 15,000 men; Russians, 70 officers, 10,000 men; Belgians, 12,000 men.

#### Russians Moving Northward.

Rome, Sept. 5.—A dispatch from Vienna announces that following the capture of Lemberg the Russian center suddenly moving northward, against Austrians in the region around Lublin and Zjamoshac.

#### Still Battling in Belgium.

Ostend, Sept. 5.—Fighting continues in the district around Alost and Termonde, Belgium. The railway near Alost has been blown up. The Germans are bombarding Termonde, a fortified town.

#### Germany, a Land of Mourning.

Copenhagen, Sept. 5.—Count Thronberg, arriving from a trip through Germany, reports that it is a land of mourning. The last line of reserves has been sent to the armies. The losses have been colossal. The heaviest losses have been on the Mons and Charleroi line, and before Paris. The streets of the cities are almost desolated, the tramways, omnibuses and many positions on the railways are conducted by women. Germany is already almost denuded of men, young and old.

#### Ordered to Leave Paris.

Paris, Sept. 5.—All Austrians and Germans have been ordered to leave Paris within 48 hours.

#### Advance on Paris Checked.

Paris, Sept. 5.—The official announcement today states that the German advance on Paris has been checked. The invaders who have been halted west of the river in Argonne are endeavoring to inaugurate an encircling movement. The bombardment of Mauleuge continues.

#### Admit Loss of Lemberg.

Vienna, Sept. 5.—The Austrian government admits the capture of Lemberg by the Russians.

#### Tremendous Loss in Battle.

London, Sept. 5.—The Standard's Paris correspondent's latest estimate thus far is that the French losses have been 30,000 killed, 70,000 wounded and missing; Germans killed 30,000, 150,000 wounded and missing. Other estimates are much larger. The Copenhagen correspondent declares that 100,000 Germans have been killed.

#### Austrians at Bay.

Petrograd, Sept. 5.—Eighty thousand Austrian soldiers who have been cut off from the main army are at bay west of Lemberg.

#### French Abandon Havre.

Havre, Sept. 5.—This city has been abandoned by the French troops and made an open town. The wounded soldiers and American refugees are being taken to London.

#### Germans Leave Malines.

Ostend, Sept. 5.—Malines has been completely abandoned by the German troops.

#### Allies Still Confident.

Paris, Sept. 4.—The Germans today are thirty-four miles east and north of Paris and have apparently abandoned the attack upon the city forts. Great dissatisfaction is reported among the allied troops, who do not understand why they are continually retreating, as they have not been defeated. The chief officers observe a grim silence. The French authorities are supremely confident that the Germans will be unable to take Paris.

#### Russians Sweep Onward.

Petrograd, Sept. 5.—The Russians are now moving on Posen, which is on the shortest route to Berlin. The defeat of the Austrians at Seamos

cleared the way for the advance. One immense Russian army is proceeding toward Berlin, another is pursuing the Austrians who retired on Cracow, Jaroslaw and Prisl, Poland. The captured territory of Austria and Prussia is being administered by Russian general.

#### Academic in Berlin.

Berlin, Sept. 5.—An epidemic of typhoid fever is reported in Berlin. Most of the physicians are at the front.

#### King Albert Wounded.

Amsterdam, Sept. 5.—A dispatch from Berlin says King Albert of Belgium was wounded in the hand by shrapnell while leading the Belgian army in retreat into Antwerp. His automobile was wrecked.

#### Karlsruhe Sinks English Ship.

New York, Sept. 5.—The British merchantman Bower Castle, with a cargo of nitrate of soda, for New York was sunk by the German cruiser Karlsruhe, off St. Lucia, West Indies.

#### Moving Around Paris.

Paris, Sept. 5.—It is officially announced that the indications now are that the Germans are continuing a long rounding movement, leaving Paris on the right and moving in a southeasterly direction.

#### To the Last Ditch.

London, Sept. 5.—The official announcement was made this afternoon that England, France and Russia have signed an agreement that not one of the allies shall make or accept peace overtures unless the other two agree. All three powers stand together to the very last.

#### HELP AMERICANS ABROAD.

### Government Agencies Hard at Work Preparing to Carry Wanderers to London.

Washington, Sept. 5.—Assistant Secretary Breckinridge of the war department who is distributing relief funds to Americans in Europe called the war department tonight in Paris this message:

"Col. Allen and I arrived in Paris on the morning of Sept. 4. Maj. Logan and Mr. Dodge follow from Geneva today. It is impossible to state the exact number of Americans still in Paris but it is estimated there are between 1,000 and 2,000. They are being sent out as fast as possible. Americans are still coming into Paris from the southern provinces and also a few from Switzerland."

From Havre Consul Osborne cabled the state department tonight: "The cruiser Tennessee is now at Havre preparing to embark 500 Americans for England. Special trains are arriving daily from Paris bringing about 500 Americans to the train, making the congestion here very great. The steamship Touraine sailed September 3 with as many passengers as possible. No Americans are in danger. Sixty per cent of Americans about whom inquiries have been received have been found."

#### Breckinridge at Paris.

Paris, Sept. 4.—Henry S. Breckinridge, assistant secretary of war, who came to Europe on board the United States cruiser Tennessee in connection with relief work, arrived here today from Vienna, homeward bound.

#### MILLS WILL REOPEN.

### Chester and Fort Mill Plans to Resume Operations.

Chester, Sept. 4.—The Springstein mill and the Fort Mill Manufacturing company at Chester and Fort Mill, respectively, which had to close down this week on account of the shortage of dye-stuffs which was attributed to the war in Europe, will resume operations on Monday. A month's supply has been received for both plants, and when that is exhausted, more will be here. Chester's other two mills, Eureka and Wylie, make white goods,