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GREATER BRITAIN IS TRYING TO FORCE JAPAN TO GIVE IN

JAPANESE DELEGATION SUBMITS THE MATTER TO TOKYO GOVERNMENT

England Finds Double Interest In Success of Negotiations.

DEADLOCK DOESN'T EXIST

All Principals At Arms Conference Wont Recognize Situation As Impossible.

SHANTUNG AGAIN BOBS UP

During a Lull Yesterday Attempt Was Made to Settle the Long Debated Controversy, But Little Attention Given It.

(By Associated Press.)

Washington, Dec. 1.—Great Britain, as the ally of Japan, is using her influence to bring the Japanese views in the naval ratio dispute into harmony with those of the United States.

With this development, the Japanese plenipotentiaries again have submitted the whole question to their home government.

The exact nature of the latest move for a solution of the ratio problem is not disclosed, but it is indicated that Great Britain has found a double interest in the success of the negotiations because she has accepted in principle the American "5-5-3" proposal and because, on the other hand, she is in alliance with Japan, who asks for a ratio of "10-10-7."

All the principals on both sides of the controversy refused tonight to recognize the situation as a deadlock. The American delegates, it was said, authoritatively, were even declining to regard Baron Kato's proposal for an increased Japanese strength as a formal presentation of the Japanese viewpoint. They were confident, it was declared, that the 10-7-7 proportion would be abandoned before Japan's final statement of position is placed before the conference.

It is apparent that if the proposal of the Japanese statesmen is not to be regarded as formal, the reason lies in the fact that it was not "passed across the table" at a formal session of the arms conference or any of its regularly constituted subdivisions.

Baron Kato's request for an increase over the American ratio was communicated to Secretary Hughes and Arthur J. Balfour at a meeting of the three late Tuesday afternoon. In relating frankly his government's position, the Japanese plenipotentiary touched on the reasons which impelled him to make the request, and asked that the question of nation needs be taken into account in determining the new naval ratio.

In response Secretary Hughes and Mr. Balfour plainly the opposition of American and British delegations to vitally changing the basis of ratio determination, and Baron Kato indicated he desired before going further to communicate again with his government. Since then three have not met to discuss the question, but their conversations are to be resumed when further advice have been received from Tokyo.

During the lull a new attempt was begun today to settle the long debated Shantung controversy, but in view of the status of the naval negotiations the Shantung conversations were looked on by many of the delegates as a small part of the main matter.

Secretary Hughes and Mr. Balfour, exercising their "good offices," met with the Japanese and Chinese delegations for a preliminary survey of the situation and then left American and British observers on the record in the attitude in whatever way they can to bring the two oriental groups into agreement.

The part taken by Mr. Hughes and Mr. Balfour in the meeting was said to have been confined to a general statement of confidence that a just and fair solution would be reached, Baron Kato responding for Japan and Minister Sze for China with general expressions of gratification in the interest taken by the two other powers.

The session lasted little more than an hour, and afterward it was indicated that it had not been determined whether Japan or China should make the first move. There will be another meeting tomorrow.

A note of optimism over the outcome of the naval discussions was particularly manifest tonight among the Japanese. While refraining from any comment on the British position, Baron Kato said he would not regard the situation as constituting a deadlock, and another member of the Japanese delegation, using a different phrase, emphasized that "we are not pessimistic."

The substitution of the ratio subject to Tokyo indicates that under the Japanese system it will be considered by the Japanese cabinet as well as by the

(Continued on Page 2, Second Section.)

ROADS WILLING TO CUT FOREIGN SHIPPING TIES

Six of Eight Railroads Having Preferential Contracts Are Ready to Abrogate Them.

Washington, Dec. 1.—Willingness to abrogate preferential contracts with foreign shipping interests was expressed today by six of the eight American railroads having such agreements. Two of the roads which were invited to appear before the shipping board as being party to preferential contracts, announced that those contracts which they had held had expired and would not be renewed.

The roads whose representatives agreed to recommend the cancellation were the Baltimore and Ohio, Northern Central, Southern, Mobile and Ohio, and Boston and Albany. The Pennsylvania railroad, according to its general traffic manager, Robert C. Wright, had only a business understanding with the international merchant marine, which could be easily cancelled if the board desired.

The hearings were adjourned today pending the filing by the individual roads of formal statements as to their latest

(Continued on Page 2, Second Section.)

Hello Girl Awarded With a Valor Medal



Mrs. Mildred Lohp, who was presented with a gold medal and \$1,000 for sticking to her switchboard in Washington, May 31, 1918, amid warring communities in the valley below her of an approaching flood.

GUAM IS REAL KEY TO DEADLOCK OVER NAVAL ISSUES IN CONFERENCE

Japan Fears Guam As American Naval Base.

WILLING TO MAKE TRADES

But Delay Is Dangerous For National Honor May Become Involved.

COULD NOT RECEDE THEN

Japan Knows United States Administration Is Eager For Success of Conference and Will Go Far to Avoid Any Sort of Break.

(By Associated Press.)

Washington, Dec. 1.—When the Japanese mention the subject of Guam, all the cards will be on the table. We Europeans have been surprised that you Americans have not appreciated from the start what the real fact in the strategy of the Pacific. This comment from one of the delegates representing a European nation at the conference fairly well summarizes one current view of the present deadlock over the naval ratio, which is the outstanding circumstance of the conference at the present hour.

There are, of course, two explanations of the Japanese attitude. The simplest is based upon the assumption that the Japanese actually mean what they say and are conducting an open offensive to retain or obtain a better proportionate strength for their fleet.

Those who hold this view maintain that we are seeing the hand of the naval and military group who control Japanese policy and are staking all upon the present issue.

The second explanation, more involved, but also more commonly accepted, is that the naval demonstration masks the real objective and that this real objective is either single and simple or a double one. In the latter case it consists of obtaining the elimination of existing fortifications and the promise not to build again on Guam, and includes with the Guam proposition the insurance of Japanese position in Manchuria.

Of course, from the Japanese naval point of view, Guam is the single menace. Unless our position there is transformed and we construct a first class naval base we can neither defend the Philippines nor strike at Japan in case of war. Without the Guam base we are powerless west of the Hawaiian Islands. Guam is the true key to the Pacific situation and the real price Japan might demand for accepting our terms.

For our naval men, at least, Guam is the "nigger in the woodpile," although the Manchurian issue, which shall dwell upon presently, has its importance in the present situation.

Whether or not we accept the first explanation given, it is plain that there is a steadily mounting danger that, whatever the intention originally, the Japanese contention over the naval ratio might easily become serious. Everyone remembers the case of Fiume at the Paris conference. At the outset Italian claims based upon the treaty of London were not taken very seriously—especially by Americans, but an intense domestic sentiment that so aroused Italian national sentiment that when Mr. Wilson appeared over Orlando's head Italy responded with a position which totally transformed the situation.

Now it is clear that it will take very little to invest the naval issue with a patriotic character in Japan and make the issue in Washington one between America and Japan, making it appear a dispute in which national prestige is involved. In that case a recession by Japan becomes almost unthinkable and the consequences must be grave in the extreme.

Delay Very Dangerous

Moreover, it is plain that every day that this debate continues increases the danger that Japanese popular and patriotic sentiment will be enlisted.

Thus it might be wholly possible that a position originally taken for trading purposes would become a position

(Continued on Page 2, Second Section.)

ARGUE A LAW PASSED IN 1821 WITH TRIAL BY JURY BEING ONE ISSUE

Judge Ray Under Fire In Supreme Court Case.

SCHOOL CASE IS DEBATED

Tam Bowie Appears In Yadinin Fight, In Which Politics Play Part.

FIRE DAMAGE \$5,774,058

Unprecedented Number of Fires In State During November, Unusual Tale of Carolinian Shows by Department Report.

(By Associated Press.)

Raleigh, Dec. 1.—Argument over the law passed 160 years ago and for the first time invoked in North Carolina gave the far-end of Supreme court week an unusual interest today. Judge Bis Ray being again under fire and this time for having sanctioned judgment against the American Express and Southern Express when they failed to turn over papers called for by another court order.

The action grew out of the loss of \$1,245,000 worth of mica shipped from Thomson, Ga. to the J. K. Burlingame Mica company June 21, 1918. Some complications growing out of wartime relationships in public service entered into the litigation, but these are incidental and have happened every day since that time. The evidence tended to show that the plaintiffs were the owners of the mica shipped, that the value of the mineral was indorsed on the bill of lading, that at this time it took more than 3 days to transport and deliver express packages moving from Thomson to Spruce Pine and that all bills of lading and receipts issued bore a rubber stamp endorsement to the effect that owing to the congestion due to war conditions no bills of lading could be issued. In addition to these expected delays which were never less than anticipated, it was in evidence that shortly after July 1, 1918, the plaintiffs had filed with the agent in charge of the Spruce Pine office their written claim for damages from loss of the mica, but the defendants set up claim that it was more than four months after the expiration of a reasonable time for delivery before this notice was given.

Express Company Sued.

The plaintiffs had obtained an order in April 1920 calling for the written claim for damages filed with the express company's agent at Spruce Pine. While the plaintiffs counsel was examining a set of papers filed by the claim, the defendants set up claim that it was more than four months after the expiration of a reasonable time for delivery before this notice was given.

The legislature of 1821 which passed the statute under which Judge Ray ruled the defendant carrier out of court on its failure to present papers demanded in regard to the judgment authority to enter judgment against the offending litigant.

Judge Ray soaked the express company \$1,200,000. Around the decision swings the 1821 statute which requires that the plaintiff should file its claim with the agent at the office of the defendant.

Mr. Bowie argued the case which had been taken by Speaker Harry Orr, of the house of representatives. The Yadinin case is docketed "The Board of Education of Yadinin county vs. the Board of Commissioners of Yadinin county," and it got into the courts that way when the county commissioners refused to levy the tax on the taxable polls of the county, passing the buck to the board of education. Democrats. The Republicans by incensing the people had everything to lose and nobody blamed them for refusing to execute a Democratic law. The Democrats could not well be worse off, so they stand to popularize the schools in a county that voted against the six months' school term, thus winning immortality as the only county which objects to the schools. The board of education applied the mandamus to the commissioners for the purpose of compelling the defendant commissioners to levy a special school tax for the term of six months. The defendant assessed valuation of the real and personal property of said county, it being alleged that this amount was necessary in order to maintain the public schools of said county for the term of six months. The defendant board of county commissioners, had, on the first Monday in August, 1921, at the time of levying other tax, levied a special school tax for teachers' salary fund of 30 cents on the \$100 assessed valuation of the real and personal property and a corresponding tax on the taxable polls of said county, and in addition had levied five cents on the \$100 assessed valuation of all real and personal property and a corresponding tax on the taxable polls of said county for the purpose of providing ample funds for the incidental expense fund and the building fund for the schools of the said county. The plaintiff demanded that, in addition to the 30 cents levied by the defendant for a teachers' salary fund, defendant be required to levy an additional tax of 10 cents for this fund, making a total levy of 40 cents for the teachers' salary fund on the \$100 assessed valuation of the real and personal property of the county for the school year 1921-22. The plaintiff, board of education, admitted, and the court found as a fact, that the five cents levy made by the defendant at its regular meeting on the first Monday in August, was ample for the incidental expense fund and the building fund, and no additional tax levy was asked for these funds.

The plaintiff alleged that in addition

(Continued on page ten)

RAILROADS IN SHANTUNG CHIEF ISSUE BETWEEN TWO YELLOW NATIONS

Chinese Ask For Return of One-Half Line.

CLARIFYING OF SITUATION

Japan Rather Well Satisfied Far East Settlements Will Not Hurt Her Much.

CAN'T DICTATE TO JAPAN

American Not Willing To Stand Sponsor For China And Japanese Well Knew It, So They Are Not Worried.

(By Associated Press.)

Washington, Dec. 1.—Of the Shantung question, which the English and Americans are trying to have settled privately between the Chinese and the Japanese, not much remains. The chief issue in the disposition of the railroad now controlled by Japan. Railroads are always the issue everywhere in China. But with regard to this particular railway the question does not seem substantial in western eyes. As it is discussed in Shantung, the Japanese return one-half the railway at once to China, with the right in China to purchase the other half at a later date.

Japan, it is said, offers instead to China one-half interest in the whole railway. She points out that a division of the railway between the two countries would operate badly, giving each one a chance to block the traffic of the other.

The Chinese, on the other hand, probably feel that in partnership between China and Japan in the control of the railway such as is proposed by the Japanese, the stronger and better to the Chinese country would be the dominant partner.

Want Private Settlement.

The Americans, English and Japanese, wish the Shantung question settled privately between Japan and China. England and the United States merely extending their good offices. This has always been Mr. Hughes' position. The Chinese, on the other hand, wish the decision to be made by the plenipotentiaries in the political conference.

The Japanese, on the other hand, insist that the plenipotentiaries must agree on a plan which they will have to submit to the plenipotentiaries of the other countries.

The Chinese in entering the present discussions with Japan reserved the right to bring the Shantung issue, which they are now in the political conference, waiting for her to reach an agreement with the plenipotentiaries in China demands they can explain, if they have their way, that the settled position was imposed by the plenipotentiaries.

China, on the other hand, wishes to see the plenipotentiaries of the other countries.

The plenipotentiaries of the other countries, if they agree directly with the Chinese, will have to assume all the responsibility for the agreement reached.

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Washington Would Like To Stop Morse at Havre

BRING HIM BACK? Destroyer De Long Pounding On Rocks

Department of Justice Wants In Connection With Shipping Board Transaction.

TO ASK FRENCH TO HELP

(By Associated Press.)

Washington, Dec. 1.—Aroused by the departure of Charles W. Morse, New York shipbuilder, from the country just as the government is about to place before a federal grand jury its investigations of his transactions with the shipping board, officials of various departments are considering tonight what means may be taken to bring him back to the United States.

It is hoped, department of justice officials said, that word can be sent to the French government in time to permit Morse's detention at Havre tomorrow morning, when, according to latest reports, the French steamship Paris on which he sailed from New York is due to dock.

Early in the day the justice department called on the navy department to send a destroyer to meet the vessel outside of Havre and take Morse off the ship. No such order was issued by the navy department, however, and officials declared later they were without authority to act in that manner.

Tonight a plan to cancel the passport issued to Mr. Morse was under consideration. The effect of such an action, it is understood, probably would be that the French government might, under representations from the United States, refuse to permit him to land. His return to the French steamship Paris probably would result.

Meanwhile, Erwin A. and Harry P. Morse, sons of Charles W. Morse, through their attorney, Wilton J. Lambert, issued a statement here tonight to save his life, the statement said, that the government knew Morse had sailed before this contemplated action became known.

Morse called under advice of his physician "that he would have to undergo an operation if he desired to save his life," the statement said, adding that he would return whenever his presence was desired "and when he is in physical condition to do so."

Justice department officials declared that nothing was known of Morse's departure until he was reported from New York last night. Morse was granted a passport several months ago, state department officials said, and this passport presumably was good at the time of his sailing. No passport is necessary for a citizen of this country to leave the United States, it was explained, but the state department issues them as the most convenient proof of American citizenship which is required for admission to virtually all foreign countries.

High government officials were not inclined to discuss the efforts being made under international law to bring Morse back, Secretary Hughes conferred with Ambassador Jusserand of France at the state department but it was not disclosed whether the subject of Morse's departure on the Paris was under discussion.

Secretary Denby said he had not been requested to furnish a destroyer to take Morse off the Paris and that he could not have taken him off a foreign ship if he had been asked to do so.

Beyond declaring that the government would make every legitimate effort to bring Morse back to the United States, neither Elmer Schlesinger, general counsel of the shipping board, nor Fletcher Dobyne, special assistant in charge of the case would discuss it.

ARKUHL DEFENSE WITNESS SAID TO HAVE BEEN DRUGGED

San Francisco, Dec. 1.—Mrs. Irene Morgan, defense witness in the Roscoe Arkuhl trial, was found unconscious at night today in her room at the Cliff hotel. A doctor called to her house physician, she had been drugged.

The trial resumed today, with Mrs. Morgan's testimony. The witness, however, was unable to give any details of her observations of the defendant.

The trial is expected to continue for several more days. The defense team is working to establish that Arkuhl was not the one who fired the shot that wounded Mrs. Morgan.

The prosecution is insisting that the evidence clearly points to Arkuhl as the shooter. They are presenting evidence that he was seen near the scene at the time of the shooting.

The jury is expected to reach its verdict by the end of the trial. Both sides are preparing for the final arguments.

The case has attracted considerable public interest. The trial is being held in a packed courtroom.

The defense team has filed a motion for a mistrial. They argue that there has been a violation of the rules of evidence.

The court has denied the motion. It ruled that the evidence presented was admissible.

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EXPECT THE PRESIDENT TO DEAL WITH TARIFF AND MERCHANT MARINE

High Lights In Forthcoming Message Made Public.

TO URGE TARIFF REVISION

Mr. Harding Would Have Bill Stripped of Provisions That Would Delay Passage.

WANTS DEBT BILL PASSED

President Thinks Allied Debt Refunding Measure Should Be Passed At Once, But Law Is Opposed To Plan.

(By Associated Press.)

Washington, Dec. 1.—President Harding's message to the new Congress next week, it was declared in high official circles today, will deal principally with two subjects: The tariff and the merchant marine.

Of the tariff, Mr. Harding is expected by those close to the White House, to say that its revision and passage at the earliest date is necessary and that if any law is passed which provisions as would endanger or unduly delay its passage.

Concerning merchant marine questions, Mr. Harding is expected to take a definite stand for the granting of some sort of ship subsidy, probably in the nature of preferential rates and routes, as supplementary to the granting of free tolls to coastwise shipping through the Panama canal. It was expected also in the same quarters that the President would discuss section 35 of the Jones act, dealing with the abrogation of trade treaties with the executive. Study of the situation was said to have developed a feeling on the part of administration officials that it would be difficult if not impossible to carry out the provisions of this section.

Tariff matters, senate leaders insisted, will occupy the prominent position in the message. It was asserted that Mr. Harding would ask that rates in the house bill now in the hands of the senate finance committee, be fixed on the old basis of invoice values rather than on the house provision of American wholesale valuation. His reason for that stand, according to some of his confidential sources, was that he has been assured it would be better to adopt the new system proposed than by employing the plan on all commodities at one time.

To that end, it was stated also, the President is expected to urge an optional provision in the measure, empowering him to apply the home value basis where, after certain surveys, it is found to be advisable or necessary. Such a course was regarded by congressional leaders as offering an obvious necessity for computing the rates on what opponents of the American valuation plan describe as unknown quantities