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The News and Observer

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FORTY PAGES TODAY.

RALEIGH, N. C., SUNDAY MORNING, JANUARY 11, 1920.

FORTY PAGES TODAY.

PRICE: FIVE CENTS.

PERSHING DENIES LIVES NEEDLESSLY WASTED IN FRANCE

Order for Attack Withdrawn When He Learned of Signing of Armistice

TOOK IMMEDIATE STEPS HE STATES IN LETTER

General Had No Knowledge of Signing of Document Until Six O'clock On Nov. 11th; False Rumors Had Been in Circulation For Several Days, He Explains

Washington, Jan. 10.—Charges made before a House War Investigating Committee that American lives were needlessly wasted on Armistice Day are denied in a letter from General Pershing made public today by Representative Fuller, Republican, of Massachusetts.

General Pershing says the American forces were acting under general instructions issued by Marshal Foch to all Allied commanders on November 9, 1918, and that orders for attacks were withdrawn as soon as possible after he was advised of the signing of the armistice. He also says statements that American troops were ordered to the attack while French divisions remained stationary are "wholly erroneous."

Pershing writes letter. The general's letter is dated November 21, 1919, and is in reply to charges contained in a letter to Mr. Fuller from Capt. George K. Livermore, of Winchester, Mass., formerly operations officer of the 16th Field Artillery brigade of the 92nd (negro) division. Mr. Fuller explained that he made the letter public in view of statements recently made before the investigating committee by Brigadier General Sherman, commanding the artillery division of the 92nd Division, about which much of the controversy regarding Armistice Day losses has centered.

The letter follows: "I had no knowledge before 6 a. m. November 11 that the armistice had been signed and that firing was to cease at 11 a. m., November 11."

"The armistice, effective at 11 a. m., November 11, was not signed until 5 a. m., November 11, hence the information which Captain Livermore states he received about midnight of November 10, was only a rumor although that rumor proved to be correct.

"For several days prior to November 11 false rumors of the signing of an armistice were prevalent in all the armies. You may recall that at least one of these rumors even reached the United States and that November 7, I think, was made a day of celebration on account of a false report.

"All armies took steps to correct these rumors and at 8:45 p. m. November 9 the following telegram was received by me from Marshal Foch: "The enemy, disorganized by our repeated attacks, is withdrawing along the whole front. It is important to maintain and hasten our action, I appeal to the energy and initiative of the commanders-in-chief and their armies to secure decisive results."

"All of the allied commanders received similar telegrams from Marshal Foch. "Neither British nor French headquarters ordered firing to cease prior to the going into effect of the armistice, that is, at 11 a. m., November 11, and in general firing by all the Allies and by the enemy continued on the whole front from Switzerland to the sea until that hour. In places the firing died away prior to 11 a. m. and in a few places firing continued until after that hour.

"The 92d Division astride the Moselle, attacked at 7 a. m. November 10 and at 5 a. m. November 11 advanced a short distance, but the troops had retired to cover in the face of reported heavy fire, when the commander of the attacking brigade received information at 7:18 a. m. that an armistice would be effective at 11 a. m. The brigade commander reports that he ordered all firing stopped by 10:45 a. m., and that the firing was that on November 11 the 92d Division lost 17 killed and 286 wounded, of whom 107 were gassed. The casualty records of the marines show that their losses on November 11 were 9 killed and 172 wounded.

"The attack of the 92d division on the 10th of November continued at 5 a. m. on the morning of the 11th, was not a preliminary to the proposed attack of November 14th.

"Captain Livermore states: 'Another point of interest in this matter is the fact that the 92nd division was operating under orders to advance along the Moselle while the French on its right flank were ordered to mark time until the 14th—the French well knowing that the chances strongly favored a termination of hostilities before that date. If the French worked on that basis why couldn't the American command have done as much?' From July 15th to the armistice, the allies attacked in accordance with a general plan. This plan contemplated attacks from just east of the Moselle to the sea. From a point just east of the Moselle to Switzerland the allies were unable, prior to the armistice, to concentrate the necessary troops holding the lines east of the Moselle took part in the reduction of the St. Mihiel salient or the subsequent operations of the second army.

"Under Wrong Impression. "Early in November the allied commander in chief decided that the allies were in a position to concentrate sufficient troops for an attack east of the

HE WILL BE NAMED DISTRICT ATTORNEY



Hon. E. F. Aydtlett, of Elizabeth City, who has been selected as successor to District Attorney Thos. D. Warren, of New Bern.

LOANS TO AUSTRIA PROPOSED BY GLASS

Asks Congress To Provide \$150,000 For Food Relief For People In Europe

CONDITIONS ARE NOW ALMOST CHAOTIC STATE

Complete Breakdown Must Occur By End of January In Austria If Help Is Not Given, Secretary of the Treasury States; Poland Also Badly In Need of Help

Washington, Jan. 10.—Loans aggregating \$150,000,000 for food relief in Austria, Poland and other European countries and Armenia to prevent a general disintegration of political cohesion in Western Europe were proposed to Congress today by Secretary Glass, who said it might be necessary to increase this amount to \$200,000,000 after the full situation in Europe had been assessed.

The Secretary reviewed at length conditions in the suffering countries, particularly Austria and Poland, and said Great Britain, France and Italy were assisting in relieving distress in Austria through a \$48,000,000 loan and that England would continue to lend aid by furnishing ships for transporting supplies and such supplies as possible from the United Kingdom.

Reviewing the situation in Austria, Mr. Glass said suffering was so great that the Chancellor, Dr. Renner, had declared that a complete breakdown must occur by the end of January unless assistance was given from the outside.

"What the effect of a general social breakdown in Austria would be, of course, only can be conjectured," wrote Mr. Glass. "That it would be confined to Austria, however, seems highly improbable, and if it spread to Germany, Poland and possibly all Europe, the result would be no less than a general disintegration of political cohesion in Western Europe. Such an event would be fraught with the most serious consequences for the United States and would certainly leave in its wake severe suffering and thousands of deaths among the poorer classes."

Referring to Poland, Mr. Glass said the failure of the government there properly to ration its adult population already had caused demonstrations by the "Reds" in Warsaw.

Under the Treasury Department plan the loans would be advanced by the Grain Corporation out of the billion dollar wheat guaranty fund and would be used to establish credits in this country on the basis of \$70,000,000 for Austria, \$50,000,000 for Poland, \$25,000,000 for other European countries and \$1,000,000 for Armenia.

Some forms of securities would be obtained from the foreign countries before the loans would be made. Assistant Secretary Davis explained that the countries interested now are considering such security from Austria, including her national forests, tobacco monopoly and water power sites.

ARMISTICE STILL REMAINS IN EFFECT WITH GERMANY

Washington, Jan. 10.—Formal notice has been served on Germany by the United States in connection with the deposit at Paris today of ratifications putting into effect the Treaty of Versailles, that conditions of the armistice still govern relations between the United States and Germany.

Announcement of this action was made tonight by the State Department in a statement showing that official notification of the exchange had been received. Outlining the situation due to the fact that the United States had not ratified the treaty, it said: "It is the position of this government that the armistice be continued in full force and effect between the United States and Germany, and accordingly the provisions of the armistice agreement of November 11, 1918, as well as the provisions of the extensions of that agreement, remain binding on these two nations."

"Notice of this was given to the German government by the United States."

ROAD BUILDING MATERIAL IS BIG NEED, SAYS PAGE

May Ask Special Session General Assembly To Authorize Plants For State

GOVERNOR ASSURES EARLY CALL OF LEGISLATURE

Cannot Be Held Before July 1st When Report of State Tax Commission On Revaluation Will Be Ready For Submission; Highway Commissioner Talks

The special session of the legislature to meet this summer for the completion of the State's program of taxation started in 1919 General Assembly will be asked to authorize the establishment of quarries for the production of road building material, to place the entire highway system under the supervision of the commission, and to devote the present automobile license tax to maintenance and, in its stead to levy a small property tax for construction purposes.

These are the greatest needs in highway work at present, declared Mr. Frank Page, State Highway Commissioner, discussing proposals for road legislation yesterday.

This special session, Governor Bickett yesterday announced, will be called as soon as the progress in the administration of the Revaluation Act justifies. The Governor made his announcement in a letter to Mr. W. A. McGirt, of Wilmington, member of the Executive committee of the Wilmington-Charlotte, Asheville Highway Association. The Association had asked the governor to call the special session, "as early as possible. The Association is contemplating asking for a fifty-million dollar bond issue."

Assuring Mr. McGirt that this would be done, the Governor added: "Of course, you understand that this special session was agreed upon by the General Assembly and myself for the purpose of setting up the tax report under the Revaluation Act. Just as soon as the State Tax Commission is ready to make its report, the special session will be called."

Inquiries at the office of the State Tax Commission developed the fact that this report will not be ready before the first of July.

Weekend Amend McCoin Bill. New road legislation is needed in the State, but not necessarily of the sort that is contemplated in the request upon the Governor to hurry the meeting of the General Assembly, says Highway Commissioner Frank Page. When the legislature does get together again, at the special session if it is deemed expedient to go into general legislation at that time, Mr. Page will endeavor to have the McCoin bill amended in such fashion as to eliminate certain alleged defects and provide what he thinks a more comprehensive plan of road construction and maintenance.

"If we had a 50-million bond issue in the State we could hardly build any more miles of road than we are building right now," he declared, discussing the proposed enactment. "This thing most needed by the Highway Commission is several plants to manufacture road building material, and I intend to ask the legislature for money to establish such rock quarries as are needed to provide stone for building roads. We have the authority under the present act to establish the plants, but we haven't the money."

Only a very small portion of the crushed rock that is used in road building in the State is produced at home, and the Commission finds it increasingly difficult to buy it outside the State. Quarries everywhere are sold out for months ahead of their production and are but little interested in offers by the State to purchase from them. Most of the rock used comes from Virginia and West Virginia and costs delivered \$3.30 per ton. It could be produced here in the State for 50 cents per ton, Mr. Page declared.

Unlimited Supply in State. "There is an unlimited and undeveloped source of supply in the State that can and ought to be developed," he continued, "and the cost of a plant that would supply the needs of the State should not cost more than \$100,000. We would save in the course of our road building more than the cost of the plant, and would be unhampered by the lack of material. The plant could be operated by State convicts."

The amended highway law would place the entire State highway system, some 4,500 miles as contemplated by the commission, under the direct supervision of the commission, designate the present automobile license tax as a maintenance tax for the entire system, and levy a small property tax to take the place of the license tax which is now used for road construction purposes.

"By the State highway system I mean a system of roads, built by the State, connecting every county seat in the State and maintained by the State. At present we are working only on trunk highways and there is no maintenance of the roads we are building except such as is provided haphazardly by the individual counties. We are collecting about \$1,200,000 this year from automobile taxes and that would be sufficient to maintain the State system of roads."

Auto Owner Is Paying. "Under the present law the automobile owner is paying for their construction. It seems unfair to me that one class of people should pay for something that benefits everybody, but it does seem fair that the people who use the roads most should pay for their upkeep. It would provide also for a system of roads."

Senator Lodge Said To Have Given Tentative Assent To Latest Move; Canvass of Democratic Senators Will Be Made This Week; Underwood Confers With Lodge

Washington, Jan. 10.—Efforts to break the Senate peace treaty deadlock and keep the treaty out of the political campaign were advanced a step today when Republican Senators advocating ratification drew up a counter-proposal to the set of compromise reservations submitted to them early in the week by a group of Democrats.

The Republican proposals to which its sponsors said, Senator Lodge, of Massachusetts, the party leader, had given tentative assent, was understood to deal only with some of the collateral issues in the reservation controversy, leaving to future negotiation the troublesome questions of Article Ten and equality of voting power in the League of Nations.

Some of the Democratic suggestions were said to have been accepted, including a change in the Republican reservation program of last session so that the Senate qualifications would not have to be accepted affirmatively by the other powers. Agreement to these changes, however, was understood to be conditional on certain concessions by Democrats in regard to other reservations.

Many Conferences Held. Submission of the counter-proposal to the Democrats came after the Senate adjourned at the end of a day which had kept the chamber and cloak rooms alive with treaty talk. Not once was the subject mentioned on the floor but it was the burden of many private conferences among Senators in both sides.

RESERVATION TREATY BY SENATORS

Efforts To Break Senate Deadlock Advanced Step Further By Counter-Proposal

MAIN ISSUES, HOWEVER, NOT TAKEN UP AS YET

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Underwood of Alabama, a Democrat, who has taken a prominent part in urging a speedy compromise. Senator Hitchcock, of Nebraska, the acting Democratic leader, conferred with several of the mild reservation Republicans.

Although the details of these conversations were not revealed, there was evidence that both Democrats and Republicans intended to continue their compromise efforts despite President Wilson's declaration in favor of taking the question into the campaign. Reassurances on this subject were asked of the Democrats, however, the Republicans requesting that they be informed exactly how many Democrats would agree to the Republican counter-proposal. They were told by Senators McKellar, of Tennessee, and Kendrick, of Wyoming, who framed the compromise reservations, that there had been no change of sentiment since the President's announcement and that more than forty Democrats wanted to compromise.

To Canvass Democrats. It was to Senators McKellar and Kendrick that the new plan of the Republicans was presented, and they announced that they would make a canvass of Democratic opinion early next week. They declined to make any prediction as to their acceptability, but both said they were pleased with the progress of the negotiations.

After their talk with Senator Lodge the three mild reservationists who presented the counter-proposal also appeared satisfied with the result. Senators McNary, of Oregon, and Colt, of Rhode Island declared the situation was improving constantly and said they were very hopeful of ratification. Senator Lenroot, of Wisconsin, the other sponsor, described the prospect as "not entirely hopeless." Senator Lodge had nothing to say.

BRYAN WITH PRESIDENT IN PURPOSE, HE STATES

Chicago, Jan. 10.—William Jennings Bryan told reporters today that he and President Wilson "agree in purpose."

"We both want immediate ratification of the peace treaty and a speedy establishment of the League of Nations," he said. "It is simply a difference of opinion over a method and not a purpose."

"There is no reason why advocacy of a compromise should be interpreted as opposition to the President. Mr. Wilson is an official and his recommendations travel by their own weight."

"The Constitution gives the President the right to make recommendations to Congress. It gives Congress the right to disregard those recommendations, just as it empowers Congress to pass laws and the President to veto them."

Mr. Bryan said 88 Senators favor ratification of the treaty, but differ as to reservations. He advocated a compromise so as to keep the treaty from becoming a campaign issue.

"If the Republicans insist upon reservations that the Democrats cannot accept, then the Democrats will be in a good position to take it as an issue before the people."

Six o'clock dinner Sunday at the George Washington, 130 Fayetteville street.—Adv.

(Continued On Page Two.)

FINAL ACT IN ENDING WORLD WAR TAKES PLACE IN PARIS

United States Only Country Now With Whom Germany Is Not At Peace; Baron Von Lersner Grateful Even Though Heavy Sacrifices Are Imposed Upon His Country; Promises That Germany Will Go Utmost Length To Fulfill Obligations.

Paris, Jan. 10.—(By the Associated Press.)—Ratifications of the Treaty of Versailles were exchanged and peace between Germany, France, Great Britain and the other Allied and Associated Powers, with the exception of the United States, became effective at 4:16 o'clock this afternoon. There were eleven-hour rumors of a further postponement, but these proved to be groundless.

The outstanding comment tonight on the ceremony is that it leaves the United States the only power which was actively at war with Germany not now on a peace basis. That was the note sounded by Baron Kurt von Lersner, head of the German peace delegation, in a statement to the Associated Press immediately after the ceremony.

"I am naturally happy that peace has finally become effective," Baron von Lersner said. "My great regret is that the United States is the only country with which Germany is still in a state of war. I hope, however, that this situation will soon be changed."

Imposes Heavy Sacrifices. "Execution of the Treaty of Versailles imposes upon Germany the heaviest sacrifices ever lost by a nation in modern times. We were in the west and in the east territories which had belonged to Prussia for many centuries. We have assumed enormous economic obligations. Nevertheless, I am glad that peace is at last re-established, because it will give back to Germany her beloved sons still prisoners abroad."

Asked as to the execution of the terms of the treaty, Baron von Lersner declared that Germany was ready and determined to do her utmost. He continued: "We have already, even without being obliged by the terms of the treaty, delivered a considerable quantity of products, including two and one-half million tons of coal to France, and I can say that Germany will go to the utmost limit of possibility in fulfilling all the obligations she has incurred. It will mean hard times for Germany, but with the recovery of our order for labor and production we hope to meet every emergency."

To Restore Trade Relations. "The recovery of our economic prosperity is as much to the interest of the Entente as it is to us, on account of the great economic difficulties that threaten all Europe. It is obvious, speaking chiefly of France, that her economic prosperity depends upon the economic recovery of Germany."

Baron von Lersner said he had had several very satisfactory conferences with Louis Loucheur, French Minister of Reconstruction, regarding the resumption of trade relations between Germany and France, and added that he hoped the European nations, working together, would solve the great economic problems. The most thorny remaining problem appeared to von Lersner to be the question of the extradition of a considerable number of German officers, officials and soldiers to be tried for

Why Socialists Were Suspended. New York Assembly in Action Followed Congress, Declares State Senator Lusk

Not Merely Because They Are Socialists But Because of Beliefs; Protests From Many Sources Continue To Pour In; Three Rallies Held In New York City During Day

New York, Jan. 10.—The New York Assembly's suspension of its five Socialist members follows the recent practice of Congress, State Senator Clayton R. Lusk, chairman of the Joint legislative committee investigating seditious activities, declared in a statement issued here tonight.

The Assembly's action amounts to a challenge of the fitness to serve of the Socialist as "individuals," Senator Lusk said. The charges against them were based on evidence presented before the Joint legislative committee, he added, although the committee "is not the complainant," nor a party to the hearings.

"The charge is that they are individually personally stand for the overthrow of the established State and National Governments by force and violence," Senator Lusk said. "Their affiliations with the Socialist party, as now organized, and the Rand school, their attitude towards communism and their activities are simply evidences having a bearing on the question of whether they individually are pledged to the violent and revolutionary overthrow of our Government."

Not Merely Socialists. "These men have not been challenged merely because they are Socialists and, of course, they will not be convicted and deprived of their seats merely because they are Socialists. The difference of opinion which has arisen over the challenge made by the Assembly of their fitness to serve is an intelligent discussion not based on the proofs in the case and whatever proofs there are have not yet been put in evidence."

The Socialist party staged three rallies late today at 110th Street and Fifth Avenue in the heart of the district which sent August Claessens, suspended Socialist member, to the Assembly. Claessens spoke to a crowd of more than a thousand persons who cheered him repeatedly.

"What the outcome of all this will be, I don't know," Claessens said. "Ask Mr. Sweet. They are signing their own death warrant. They are bringing about their own finish. If a citizen has no right to cast a ballot then there is no democracy. That is a state of anarchy. We can indict the Democratic and Republican parties as arch-enemies."

Republican Club Condemns. Abraham Beckerman, Socialist alderman, declared he felt slighted for not having been "consulted" from the board of aldermen in the same way the Socialist assemblymen had been suspended.

"I must apologize for still being a member of the board of aldermen," he said, "but it is not my fault."

Suspension of the five Socialist assemblymen was characterized in resolutions adopted by the Young Men's Republican Club here today "as a stupid and wanton denial of the fundamental rights of citizenship."

Annual Mid-Winter Steeplechase. Full Course. \$250.00 Purse. Pinehurst, Wednesday.—Adv.

(Continued On Page Two.)

AYDLETT NAMED TO BECOME DISTRICT ATTORNEY IN EAST

Elizabeth City Lawyer Succeeds Thos. D. Warren, Who Declines Nomination

FIRST DISTRICT GETS SUBSTANTIAL NOTICE

New Bern Lawyer Declines Renomination Because of Failure of Senate To Confirm Appointment; Tar Heel Senators Send Aydtlett's Name To The Attorney General

The News and Observer Bureau 603 District National Bank Bldg. By R. E. POWELL (By Special Leased Wire)

Washington, D. C., Jan. 10.—E. F. Aydtlett, of Elizabeth City, past president of the North Carolina Bar Association, will succeed Thomas D. Warren as United States attorney for the Eastern District of North Carolina unless the Senate holds up his confirmation.

Mr. Warren having indicated to the Attorney General that he must decline a renomination, Mr. Aydtlett's name was sent to the Attorney General today by Senators Simmons and Overman and Monday morning it is expected to reach the White House. The President is expected to send the Aydtlett appointment to the Senate early next week.

In the appointment of Mr. Aydtlett, the first District is recognized in a substantial way for the first time since the Democratic administration came into power. Heretofore, in the distribution of federal patronage, the other districts in the eastern section of the state have drawn better than the first and the Aydtlett appointment is the first big piece of federal patronage to be awarded to the district since 1912.

Was Formerly Candidate. Mr. Aydtlett was a candidate for the United States Attorney job in 1912 when ex-Judge Francis D. Winston, of Windsor, was appointed and when Mr. Carr resigned, Thomas D. Warren, who has been State Chairman of the Democratic executive committee all along was appointed by the President to succeed Mr. Carr.

His declining re-appointment, which was tendered him by the Attorney General on December 25, Mr. Warren, writing from New Bern on December 25, told the Attorney General that he is advised "by those in a position to know that the Senate as now constituted will not confirm my appointment and I am unwilling that the matter should be held in further suspense."

The charges preferred against me by the State Republican executive committee," Mr. Warren adds, "are political in their nature, they are preferred for partisan advantage and will be considered in the Senate by the Republicans from this standpoint."

First Nominated Last Year. Mr. Warren was first nominated to succeed Mr. Carr in February, 1918 and his name was sent to the Senate for confirmation. At the instance of Republicans who opposed the selection of Mr. Warren because of a letter he wrote to Democratic precinct Chairman regarding the construction of the absentee voters law, his nomination was held up. He served under President Wilson, recess appointment then until Senate adjourned once more without action on his appointment, although in the meantime Clarence R. Pugh, Republican Vice Chairman, appeared before the Senate Judiciary committee with a long brief opposing the confirmation of Mr. Warren.

When the second session of the Senate adjourned without action on his nomination Mr. Warren, at his own request, was given a recess appointment by Federal Judge Henry G. Connor and he is holding office under this at the present time. This appointment was at the direction of the Attorney General and permitted him to continue to serve as United States Attorney without direct contact with the established rule that a nomination, once turned down by the Senate, cannot be again made while the Senate is in session.

Many Lawyers Considered. That the work of Mr. Warren won the unqualified endorsement of the department of Justice and of the Federal Judge Henry G. Connor, of the Eastern District, has never been disputed. The letter from Attorney General Palmer to him under date of December 25, was a warm endorsement of his service and an expression of the hope that he would again accept the appointment of the President which, until the last, Senator Simmons believed could be engineered through the Senate.

When it was decided to make another appointment there were a number of prominent lawyers in Eastern Carolina as long for the place. Mr. Aydtlett's standing among his brethren at-law and the fact that the first district has been moved but scant recognition in the past, moved the two Senators to agree that he was the logical man to succeed Mr. Warren. Senator Overman, who is a member of the judiciary committee, tonight expressed the opinion that there would be no doubt about getting his confirmation through the Senate.

The other districts have had, in order Judge Francis D. Winston, United States Marshal Dorthe and assistant district Attorney Greens, collector Bailey and "a host of others," the Collector of Customs, the United States attorney and the present United States Marshal.

Mr. Warren's Letter. In his letter to the Attorney General, Mr. Warren said: "I wish to thank you for your favor of the 25th notifying me that you would shortly send to the White House your recommendation that my name be sent to the Senate again as United States Attorney for the Eastern District of North Carolina."

Director Rogers Says Census Working Fine

Washington, Jan. 10.—Completion of the 1920 census in record breaking time was predicted tonight by Director Sam L. Rogers, who said that less than 100 of the 87,000 enumeration districts had reported inability to start canvassing because of unfavorable weather. Many reported hearty co-operation by the public.

The so-called "Reds" have not given the census enumerators any difficulty so far as the bureau is advised," he continued. "On the contrary, the supervisors of many of our large cities have reported that enumerators work in the districts commonly supposed to be inhabited by 'reds' is progressing swiftly and with the minimum of difficulty."

To help hasten the census work the public was asked to familiarize itself with census questions before the enumerators call.

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