

THE WEATHER
Fair, cool, cloudy with showers
Thursday; Friday fair, not
much change in temperature.

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SIXTEEN PAGES TODAY.

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SIXTEEN PAGES TODAY.

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HIRAM JOHNSON WILL FIGHT DAVE BLAIR IN SENATE

Winston-Salem Man Will Meet Opposition When Confirma- tion Comes Up

POLITICS AT BOTTOM OF OPPOSITION TO HIM

California Senator Thinks W. C. Delegates To Republican National Convention Should Have Voted For Him; Greensboro Delegation Visits The Attorney General

The News and Observer Bureau,
603 District National Bank Bldg.
By EDWARD E. BRITTON.
(By Special Leased Wire.)

Washington, April 27.—Dave Blair is not going to get by the Senate without a fight being made against his confirmation. That is authentic news which comes to me from sources that know what they are talking about. It will not be a fight against the business ability or the character of the Winston-Salem man selected by President Harding and Secretary of the Treasury Mellon for the important post of Commissioner of Internal Revenue but a political fight on him.

That it will be a stubborn fight may well be imagined when I say that the man who will endeavor to prevent his confirmation will be Senator Hiram Johnson, of California, and it may be that the first which Senator Johnson starts will be a confabulation of no small size as affecting his relations with the Harding administration, for the fight that he is declared by parties with whom he has talked that he is going to wage on the Dave Blair appointment shows that the scars had sore spots of the Chicago National Republican Convention have not yet healed up. And this despite the fact that today the Senate finance committee reported out favorably the nomination of Mr. Blair, under the rules this going over for one day.

Did's Support Johnson.
The information that reaches me and the sources of my information are of the highest reliability is that Senator Johnson will fight the confirmation by the Senate of the appointment of David H. Blair on the ground that Mr. Blair is not a delegate from North Carolina to the Republican National Convention, and that the nomination for President should be made by the majority vote of North Carolina Republicans in the legalized State primary was for Senator Johnson as the choice of the North Carolina Republicans for the nomination for President.

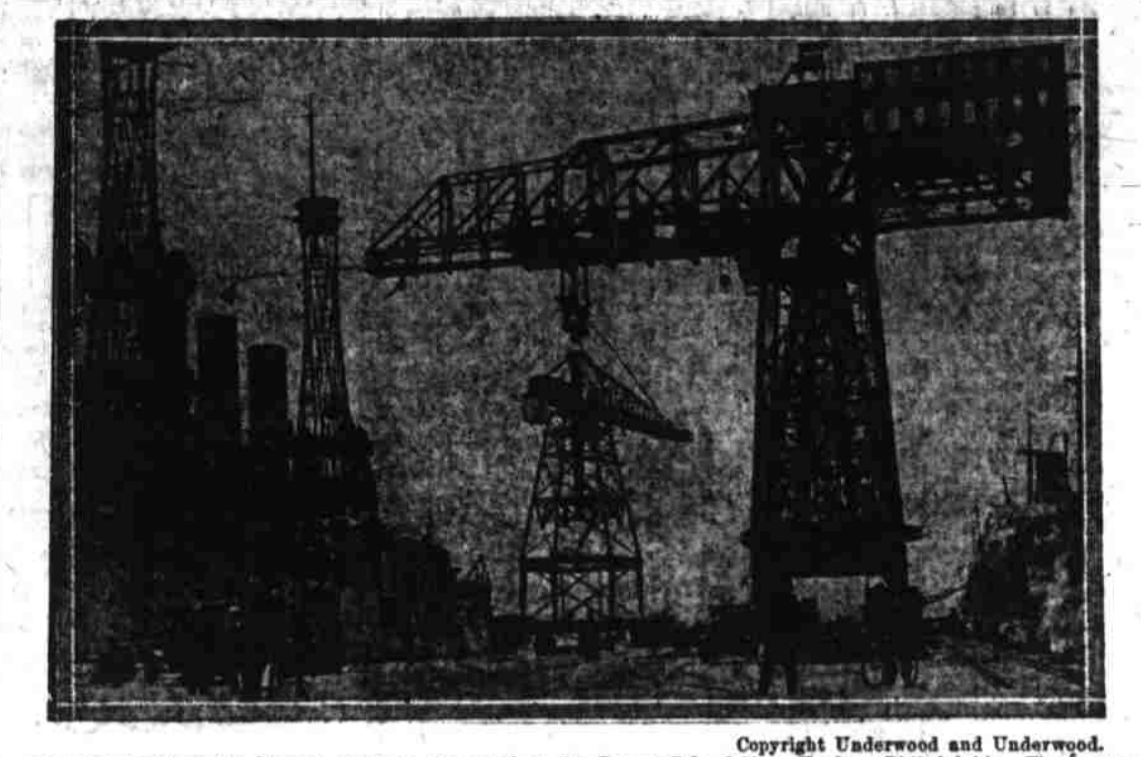
A number of Republican Senators with whom he has talked on the matter say that he himself made the statement that he would oppose the nomination of Mr. Blair for the reason I have set forth. It will be remembered that David H. Blair was on the credentials committee of the Republican convention and that his vote in the nomination contest went to Senator Harding, whom former Chief of the Port and Harbor of New York says is a "prompt paymaster" of political obligations will stand by David Blair, and that Secretary Mellon will do the same is another matter that may be put down as certain. Lay your bets on the winner as you choose.

Delegation Visits Daughters.
An impressed with the presentation you have made of the name of Judge Bynum for appointment as judge of the Fourth Circuit Court of Appeals, said Attorney General Daugherty, today after he had heard that the delegation boosting Judge William P. Bynum for the vacant position had told him of the legal attainments and the qualifications as a man and as a Republican of the Greensboro lawyer for the position. It was a pleasant interview that the delegation had with Attorney General Daugherty. He met its members cordially, put them at ease with some jocular remarks, sat back in his chair and let the spokesman for the delegation have their own time in telling why Judge Bynum should be appointed. And when the delegation left his office it was with the feeling that the chances of Judge Bynum were excellent.

Senator Overman went with the delegation and presented its members to the Attorney General. The engagement of the delegation was for 11 o'clock, but the pressure of other pending candidates for various positions was so great that it was nearly 12 o'clock before the delegation was ushered into the innermost sanctum of the Department of Justice and received, each man for himself, the warm handshake of the Attorney General. In the delegation from Greensboro were E. R. King, chairman; Judge R. C. Strickland and G. Sam Bradshaw, spokesman for Judge Bynum; Frank P. Hobgood, Jr., Clifford Frasier, former Postmaster A. Wayland Cooke, John A. Barringer, Martin F. Douglas and G. S. Ferguson, now a resident of Washington, formerly of Waynesville, at some early date to go to Greensboro as a partner in the legal firm of Messrs. Brock and Barringer and Attorney General J. S. Manning. In the delegation was also John E. Woodward, of Wilson, who also spoke in behalf of Judge Bynum, saying that he endorsed the Greensboro man if no Democrat was going to be appointed.

Senator Overman said that he came to introduce the delegation and that while he did not come to endorse any Republican for office, but he could endorse Judge Bynum as a lawyer of ability and as a man. The presentation of the reasons for the appointment of Judge Bynum were set forth by Judge Strickland, who extolled Judge Bynum as a lawyer equalled by none in the State, and in Federal court practice, of high reputation and of warm heart. G. Sam Bradshaw next spoke and told of the claims of Judge Bynum as a Republican, of his services to the party, of his

GREATEST CRANE IN THE WORLD



Photograph shows the biggest crane in the world at the League Island Navy Yard, at Philadelphia. The mammoth hoister is engaged in lifting and moving a smaller crane.

No Official Information As To Attitude of Allies

WILKINSON NAMED TO SUCCEED WOOD

Governor Gets Protest For Failure To Name Colonel Kirkpatrick

Governor Cameron Morrison yesterday named W. C. Wilkinson, of Charlotte, member of the State Highway Commission, to succeed Word H. Wood of Charlotte, resigned.

Governor Morrison announced appointment of the president of the Merchants and Farmers Bank of Charlotte yesterday afternoon and Mr. Wilkinson will be in Raleigh today to attend the session of the commission.

The action of the Governor was in line with his announced determination not to name another lawyer on the commission and to place thereon a Charlotte man if possible.

Considerable pressure was brought to bear on the Governor from Charlotte to have him appoint Col. T. L. Kirkpatrick, of Charlotte, one of the promoters of good roads in this State. The ban against more lawyers on the commission, however, eliminated Kirkpatrick who thereafter telegraphed the Governor that he would not accept the position.

However, Governor Morrison yesterday received from the directors of the Charlotte Chamber of Commerce a resolution protesting against his failure to name Col. Kirkpatrick. Governor Morrison would not comment on the telegram.

HARDING LEAVES TO REVIEW ATLANTIC FLEET

President Will Hold Reception On Board The U. S. S. Pennsylvania Today

Washington, April 27.—President Harding left here late today on the Mayflower for Hampton Roads, where tomorrow he will review the Atlantic division of the American fleet and later hold a reception aboard the flagship Pennsylvania for the officers of the 68 ships forming the armada.

The executive was accompanied by Mrs. Harding, his naval and military aides and a party of Senators. He planned to return to Washington early Friday morning.

Secretary Denby, Admiral Counts, chief of naval operations, and members of the House naval committee, also left aboard the naval yacht Sylph for Old Point. Just before the review begins they will join the Presidential party aboard the Mayflower, and also will attend the reception on board the Pennsylvania.

The President and his party boarded the Mayflower at the Washington navy yard with the plant band playing and the marine guard at attention. The customary presidential salute of twenty-one guns was fired.

This was Mr. Harding's first trip on the presidential yacht and it will be his first review of the American naval forces.

Fleet Now Off Capes.

Aboard the U. S. S. Pennsylvania, April 27.—(By Wireless to The Associated Press.)—The Atlantic fleet, homeward bound from the winter drill grounds in the Caribbean Sea, arrived today off the Virginia Capes. The warships will proceed tomorrow to Hampton Roads for the review by President Harding, then will scatter to their home yards, where the crews will be given shore leave.

TWIN CITY BUSINESS MAN FOUND DEAD AT HOME

Winston-Salem, April 27.—Carl F. Nissen, youngest son of the late Frank Nissen, for many years a successful wagon manufacturer in Waughtown, was found dead in bed this morning at the father's old home place in Waughtown. Besides his wife and two children he is survived by two brothers and three sisters.

Mrs. Mrs. V. Horton, age 82, widow of the late Captain A. H. Horton of Wilkes county died last night at the home of her son, Dr. H. V. Horton, following a stroke of paralysis last Friday. She lived in Wilkes county 35 years and after the death of her husband moved to this city.

ANOTHER MEETING ON WAGE MATTER

Final Break Between Ship- Owners and Marine Workers Narrowly Averted

CONFERENCE HELD AT REQUEST OF BENSON

Last Moment Appeal By Presi- dent of Seamen's Union Pre- vents Break and Paves Way For Further Conferences Friday; Marine Workers Re- fuse Reduction in Wages

Washington, April 27.—A final break between the shipowners and marine workers was narrowly averted at the conference held here today by Chairman Benson of the Shipping Board, in an effort to prevent a threatened strike on May 1, when existing wage agreements expire. A last moment appeal by Andrew Furuseth, president of the International Seamen's Union, resulted in Admiral Benson told the conference Friday.

The delay was sought in order that proposals of Chairman Benson for a 15 per cent wage reduction and changes in working conditions afloat might be laid before the unions, but admittedly the outlook for an agreement Friday was not bright.

Admiral Benson told the conference he would not recede from the outline of reductions he had presented as necessary to the merchant marine.

Reject Wage Reduction.
W. S. Brown for the Marine Engineers Beneficial Association flatly rejected the proposed wage reduction.

W. A. Thompson, representing the American Steamship Owners' Association, said that unless the unions were prepared to negotiate a new wage scale further conferences would be useless and that his organization was now prepared to act.

When Admiral Benson's declaration that he would not trade on his wage appeals had brought matters to a climax, the president of the International Seamen's Union made a plea for delay and further consideration in behalf of the American merchant marine and won the consent of the conferees to another session.

One More Proposition

In his appeal, Mr. Furuseth warned shipowners that he had one more proposition to offer, should a break come, which he hoped he would not be called upon to present. If that could not be avoided, he added, without revealing what he had in mind, "let the chips fall where they may."

Replying to Chairman Benson's proposals for a readjustment of wages and working conditions, Mr. Brown read a resolution adopted by the engineers' wage committee, which declared that the proposed wage scale and re-classification of ships was not acceptable, although changes in working conditions were. Later he said the engineers would not recede from the stand they had taken and would not accept a wage reduction.

HEAVY HAIL STORM VISITS SALISBURY AND VICINITY.

Salisbury, April 27.—A severe hail storm visited this section this afternoon, doing much damage to growing crops and stripping many trees. The hail was preceded by a heavy wind storm, which, however, did not do great damage. The storm as nearly as can be determined tonight was purely local, only covering an area of about five square miles. Some of the hail was quite large and for a few minutes fell in profusion.

The People's Market

Filling the essential needs of the household constitutes the great bulk of the business done daily through the Want Ad Column, which have become generally recognized as the people's market.

Here the workman meets the employer, the employer finds the ones who should be employed, the seller meets the buyer, those who would exchange goods are brought together.

The Want Ad Column—the people's market—alive with human interest and brimful of opportunity, are ready to serve all.

Phone 127 and our Want Ad man will gladly call for your ad.

STATE BOARD OF HEALTH ENDORSED BY STATE SOCIETY

Generous Approval of Policies and Pledge of Support In Its Activities

EXTENSION OF WORK URGED IN RESOLUTION

Two Wake County Physicians Reinstated After Long Dis- cussion; Dr. Hubert A. Roy- ster, of Raleigh, Slated For Presidency; Winston-Salem To Get Next Convention

Pinehurst, April 27.—Generous approval of the policies of the State Board of Health and the pledge of the profession to make those policies even more successful in the future came today when the State Medical Society and the members of the State Board of Health met in joint session.

It was the most largely attended meeting of the two bodies since the joint session annually was made mandatory by a legislative act, and the keen interest developed prolonged the session for three hours during which period there was extended and general discussion particularly with regard to the tonsil and adenoid operations being conducted among the school children. At the end there was unanimous vote that the work should continue under the plan now followed.

URGENT EXTENSION OF WORK

A resolution offered by Dr. J. Howell Way, president of the Board of Health, was unanimously adopted laying down the policy that no member of the board and no paid employee should hold office in the Medical Society, the Health Officers association or any similar organization in the State.

A resolution coming from the section on pediatrics was offered by Dr. L. W. Faison, of Charlotte, and adopted urging the manufacture and distribution of toxine anti-toxine for the prevention of diphtheria. Dr. C. A. Shore, director of the Laboratory of Hygiene, announced that preparations were well under way and this new weapon for the defense of children's lives would shortly be available.

Endorse Every Policy of Board

The report gave endorsement to every policy now in effect and urged the continuation of each. Opposition to the tonsil operation clubs was voiced by a number of members while the methods pursued and the objects aimed at were defended by others. This was the only point that called forth a debate, and when the vote was finally called a complete understanding had been reached and the opposition had faded away.

Tomorrow morning the nominating committee will report on officers for the following year. It is understood that Dr. Hubert A. Royster, of Raleigh, is to be president, Dr. W. T. Parrott, of Kinston, first vice president, Dr. L. B. McBrayer who has been acting

How U. S. Navy Guns Put Stop to German Shelling of Paris

By JOSEPHUS DANIELS
Former Secretary of the Navy

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From the standpoint of spectacular sensationalism Germany gave the world the biggest surprise of an amazing war when, on March 23, 1918, shells began to fall in Paris.

Bombs from a fugitively visitant aeroplane were to be expected, but shells from a gun—how could that be possible when the German lines were, at their nearest approach, at least seventy miles

Germany's New Gun

The world was at first incredulous, but the shells continued to fall in the city and its suburbs inconceivably gave way to stunned belief. Ten people were killed and fifteen wounded the first day. A week later, Good Friday, March 29, the long-range bombardment resulted in a tragedy which shocked civilization. It could scarcely have been by design, and yet the coincidence of the day and the objective is extraordinarily significant for mere chance.

Kill Seventy-Five in Church.
On this day of sacred fast, the holiest memorial of the Christian year, while a congregation of devout worshippers—women and children and men too old to fight—prayed in the Church of St. Germain, a shell crashed through the roof of the building, killing seventy women, and five of these Americans. Ninety other persons were injured.

In all Christian lands people were aghast at this slaughter of the defenseless.

The thing that stirred men's indignation was that this phenomenal gun was apparently of no practical value for military purposes. Its use lay wholly in terrorizing the civilian population of Paris by slaying the helpless. It was an attempt to wraken the heart of France, to break her spirit and resolution. It was hoped, doubtless, that when news of what was happening to the women and children at home reached the men at the front it would shake the wonderful morale which had held at Verdun and on many another desperate field of encounter.

For five months Paris endured the

MUNICIPAL FINANCE ACT IS HELD INVALID

GAR II, JR. TO CONTINUE RACE WITH A. C. L. FLYER EARLY THIS MORNING.

Hampton, Va., April 27.—The Gar II, Jr., piloted by Gar Wood, of Detroit, arrived in Hampton Creek tonight and will not continue her run to New York until tomorrow morning. Although Mr. Wood left Norfolk earlier in the afternoon with the intention of attempting to brave the northeast storm now blowing down the coast, he altered that decision just before passing through the Capes and turned back. Gar II has twelve and one-half hours in which to make New York, according to Mr. Wood, but he declared he will complete the run in ten hours.

CENTRAL HIGHWAY TO BE BUILT NOW

Link Through Fourth, Fifth and Sixth Districts Ordered Completed

Immediate construction of the Central Highway from Charlotte, through Cabarrus, Rowan, Davidson, Guilford, Alamance, Orange, Durham and Wake counties to the Johnston county line was ordered by the State Highway Commission at the second day of its session yesterday. Work will be rushed as soon as engineering plans are ready, and will be far along toward completion before winter sets in.

Standard concrete construction, eight feet in width is specified in the order, and it is estimated that the construction of the sections of the road called for in the order will require the expenditure of approximately \$1,500,000. Continuation of the highway through the counties in the Second district is under discussion, and it is not unlikely that the road will be put through to New Bern within a year.

Several Links Built.
Several important links in the road have already been built. The road will run via Concord, Salisbury, Lexington, Thomasville, High Point, Greensboro, Burlington, Hillsboro, Durham, Johnston and out the German road to the Johnston line. The link between Durham and Raleigh will be built by way of Morrisville, connecting with the concrete road now extended as far as Cary. A spur road to Chapel Hill, now partially completed, will be pushed through. Somewhat over 200 miles in length, the Central Highway will offer the longest continuous stretch of concrete road in the South when the proposed links are completed. Considerable mileage has already been built under the commission and under county direction. Mecklenburg, Cabarrus, Rowan, Guilford, Durham and Wake counties together have about 100 miles of concrete road in use at present.

Conferees on Municipal Finance Act

The conferees on the Municipal Finance Act yesterday morning brought the two departments of the State administration into full accord and agreement, with the result that the Commission now has the formal assurance of money as fast as the roads can be built. As the matter stood at the end of the conference, the Commission is to proceed as rapidly as possible to build such roads in such places as its judgment prompts, and the Governor and Council of State will furnish the money.

Most of the day was spent in the consideration of a large number of proposals coming from individual counties or from Road Districts looking

Attorney General Manning Rules That Failure of Senate Journal To Show Roll Call Vote Fatal Error

MAY MEAN MILLIONS IN LOSSES TO CITIES

Special Session of General As- sembly May Be Necessary To Remedy Situation Which Cripples Cities' Taxing and Financing Powers; Secretary of State Asks For Opinion

The failure of the State Senate's journal to show that the Municipal Finance Act was passed on its third reading by an aye and no roll call vote, and the ruling of the Attorney General that the Secretary of State may not correct the Journal to correspond with entries on the original bill may cost the municipalities of the State two millions of dollars and may necessitate an extra session of the General Assembly.

Attorney General Manning yesterday gave his opinion to the Secretary of State who enquired if he had the authority to correct the Journal of the Senate. The Secretary of State, in turn, had acted on request of New York bond attorneys interested in North Carolina municipal bonds.

Entry Indicates Roll Call.
The entry on the original bill indicates that it passed on third reading in accordance with the law, was reconsidered, amended, and was passed on third reading as amended by vote of 43 to 0. The Journal, however, only shows that the bill was passed on its third reading but does not indicate that it passed by roll call. The Attorney General yesterday ruled that this was a defect sufficiently serious to invalidate the act.

Invalidity of 1921 Municipal Finance Act Would Leave North Carolina Municipalities Under the Operation of the Old Municipal Finance Act

which puts a fifty cent limit on general taxation, but allows municipalities to increase that rate upon permission of the Municipal Board of Control. For the year 1920, it was stipulated that this increase would not exceed ten per cent.

By the special session, the municipalities, limited to an increase of 10 per cent increase in revenue under the 1919 revaluation act, were authorized to carry over deficit for current expenses and how this indebtedness, now if the 1921 act is invalid, not only will it cripple the taxing powers of cities but will leave them with no means whatever of carrying or funding the deficit for running expenses which in the case of Raleigh amounted to \$115,000 but would subject the municipal authorities to the penal law for exceeding the income of the city.

Indicates Clerical Error.
City Clerk Willard Dowell, who was one of the committee of the North Carolina Municipal Association, who stood by the municipal finance act and followed its passage through the 1921 General Assembly, is confident that the passage was in accordance with the law and that the failure of the Senate Journal to show the proper entry is by clerical error.

If It Is Held Invalid, Mr. Dowell Believes, North Carolina Cities Will Be seriously crippled in finances. It may cost Raleigh and every city of approximately the same size between \$100,000 and \$150,000.

Manning's Opinion.

The opinion of the Attorney General follows:
"The Legislature at its recent session attempted to revise, amend and re-enact the Municipal Finance Act. The bill was of such a character as to require its enactment in accordance with Article 2, Section 4 of the Constitution. The House Journal shows that it passed properly and constitutionally the various readings in that body. The Senate Journal shows that it passed its several legal and constitutional readings in that body, the ayes and noes being taken and entered upon the journal on its second and third readings. It appears from the Senate Journal, however, that after the bill had passed its third reading in accordance with the Constitution, on motion of Senator Varney, the vote upon which it passed its third reading, was reconsidered. Thereupon, Senator Varney offered an amendment, which was adopted and the bill then passed its third reading. There is no entry of the ayes and noes upon this passage of the bill as amended. The original bill itself has stamped on it by the principal clerk of the Senate this entry: 'Passed third reading, ayes 43 and noes none,' while between the words 'reading' and 'ayes' is written with a pen 'as amended.'

Constitutional Provision.
"Article 2, Section 14 of the Constitution, provides as follows:
"No law shall be passed to raise money on the credit of the State or to pledge the faith of the State, directly or indirectly, for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities and towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly, and passed three several readings, which readings shall have been on three different days, and agreed to by each house respectively and unless the ayes and noes on the second and third readings of the bill shall have been entered on the journal."
"The Supreme Court has repeatedly held that the provisions of this section are mandatory and that a statute of the character therein defined is void if not enacted in accordance with it. It is obvious that the defect in the enactment of this law was in the failure, if the Journal speaks the truth, to call and enter upon the journal the ayes

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(Continued on Page Two.)