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JOHNSON SAYS HE'S UNDECIDED ABOUT ACTION ON LINNEY

California Senator Will Attend To But One Matter At a Time, He States

REALIZES HE'S BEATEN BUT HE WON'T QUIT

Believes in Primary And Explains Why Republican Party In North Carolina Refuses To Give Heed To It; It's Because Bosses Want To Stay In Power, He Declares

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

Washington, May 14.—"I have not yet determined what I shall do in regard to the nomination of Mr. Linney," was the answer given me by Senator Hiram Johnson this afternoon. I had been talking with him concerning his fight on the confirmation of the appointment of Dave Blair as Commissioner of Internal Revenue, and switched to the subject of the nomination by President Harding of Frank Linney for district attorney of the Western North Carolina district. "I shall not do anything in that matter," he continued, "until the Blair nomination is disposed of. That is the present matter and I will not now go beyond that. After there is an action which disposes of that, then I will give my attention to the Linney nomination."

Believes in Primary. Senator Johnson knows that he will not be able to defeat the confirmation of Dave Blair. He told me so in so many words. "I realize," said he, "with the forces of the administration supporting Mr. Blair he will be confirmed. Yet I have won my fight in showing that my contentions are right, that he violated the mandate of the primary law of his State. I believe in the primary. It gives the people an opportunity to express their views. I have learned that the Republican party in North Carolina gives little or no heed to its mandates. The reason is not hard to see, for it is because the leaders of the party there, the bosses who run it, do not want the primary to count. Hence they discourage it and for the reason that if the people of the Republican party expressed their views and made their choice for candidates there would be no more a place for the bosses."

The finale in the Blair case is now expected to occur on Monday though there is a possibility that this may be deferred till Tuesday. The finance committee of the Senate met this morning, but devoted its time to the matter of the sales tax, waiting for the printed report of the proceedings of the Blair investigation. That was not in the hands of the members of the committee till nearly 4 o'clock this afternoon. It is a document marked "confidential" and newspaper men can only make guesses. But most public-spirited understand that the essential facts have been given in it.

To Take Fight To Senate. In the document there will be found letters received by Senator Johnson from North Carolina and perhaps other places concerning Mr. Blair and the Cannon family tax matters, and the sharp replies he made to them. But Senator Johnson has not stopped his fight on Dave Blair at all. He will carry it to the floor of the Senate and expects to have quite a respectable showing of votes with him. I told him my forecast I had made of the vote in the committee, and of this he said: "I am inclined to agree with you in your figures." And my figures were that there would be three votes against Blair and thirteen in his favor.

Among the Democrats it is realized that there is a chance to defeat Mr. Blair in the Senate, if the Democratic vote can be lined up against him. It is known that Senator James Reed, of Missouri, is against Blair, that he will vote both in committee and on the floor in regard to a certain. It is the clear understanding that Senator Reed and Senator Pat Harrison have been sounding out the Democrats to see if there was a possibility of the Democrats getting together with the Johnson forces and lining up against Blair, but it was found that this could not be done. One Democratic Senator said to me, "When the Wilson administration came into power the Republicans did not interpose themselves against the nominations made by President Wilson and the Democratic party will hardly make a different policy with regard to President Harding's nominations. I can see no good that can come from it. Let the Republicans fight this thing out amongst themselves."

Tar Heel Senators For Blair. In the Senate it is the expectation that both Senator Simmons and Senator Overman, the North Carolina members will vote for the North Carolinian named by the President for commissioner of Internal Revenue. The will of these two North Carolinians is expected to be the final round-up in the fight made on him. National Committeeman John M. Morehead also returned to North Carolina. Mr. Blair does not agree, nor do his supporters agree, that Senator Johnson has made good in his fight, and they say that he will gain nothing by attempting to link up with anything wrong the men who endorsed Mr. Blair, among them his father-in-law, J. W. Cannon, of Concord; Stuart

CAMPAIGNS THREE DAYS; IS ELECTED



W. Ben Godwin, newly elected mayor of Elizabeth City, conducted a three-day campaign. He announced his candidacy on Saturday and on last Tuesday he was elected by an overwhelming majority. He is grand chief of the Elizabeth City order of Red Men, and one of that city's best known business men.

SOUTHERN POWER SEEKS INJUNCTION

Another Step In Effort To Squirm Out Of Jurisdiction Of State Courts

Greensboro, May 14.—With the North Carolina Public Service Company standing firm against all efforts of the Southern Power Company to squirm out of the jurisdiction of the State courts into the federal courts in the action brought by the North Carolina Public Service Company, Greensboro and High Point, to prevent the power company from making good its threat to discontinue the service of current, the Southern Power Company has secured a temporary injunction from Judge James E. Boyd, Western District Federal Court, directing that the public service company and the two cities appear before him in Greensboro May 21 to show cause why they should not be permanently enjoined from prosecuting their suit in any court except the federal court.

The application for an injunction from Federal Judge Boyd followed straight on the heels of the opinion of the North Carolina Supreme Court Wednesday when the court, for the second time, held that the action begun by the public service company in the nature of a mandamus was not removable to the federal courts. On two occasions the case has come to the State Supreme Court with the refusal of the lower court to remove as one of the prime exceptions. Judge W. P. Stacy, writing the Supreme Court's opinion, found Judge J. Bis Ray in error in rendering judgment on the pleadings. Consequently, the case was sent back to the lower court for trial on the issues, but the court expressed not the slightest doubt about the correctness of Judge Ray's ruling that the action was not removable to the federal courts.

Willingness to Pay. The specific pleading which Judge Stacy held sufficient to warrant clearing up through process of trial was the allegation of the Public Service Company that it stood ready and was both able and willing to pay the Southern Power Company, a reasonable rate for the power service furnished it. The denial of this by the defendant, Judge Stacy held, raised a question that justified returning to the lower court.

In its supplemental petition, asking for restraining order, the Southern Power Company alleged that the North Carolina Public Service Company, is indebted to the defendant for electricity furnished it at Greensboro and High Point during the months of January, February, March and April, 1921, in the sum of \$67,008.90 all of which said indebtedness remains due and unpaid; and as this defendant is advised and believes, said North Carolina Public Service Company hopes to continue the use of this defendant's electricity at Greensboro and High Point without paying anything therefor, or at least paying herefor considerably less than the cost of producing said electricity.

Checks Are Refused. In response to this, Public Service Company officials announced today that each month a check has been forwarded to the Southern Power Company for the amount stipulated in the injunction ordered by Judge J. Bis Ray. These checks have been uniformly refused by the Southern Power Company and are kept on deposit in a separate account by the Public Service Company.

JOHN PARK SELLS HIS PAPER IN FAYETTEVILLE

Fayetteville, May 14.—David B. Lindsay, of Marion, Ind., former publisher of the Marion Chronicle, has purchased the Fayetteville Observer from John A. Park, it was announced here today. Mr. Lindsay assumed management today.

The Observer, the oldest newspaper in the State, was purchased by Mr. Park from a stock company composed of Fayetteville business men in January, 1920, and many improvements were added to the plant under his management.

YOUTHFUL GANGSTERS MAKE EFFORT TO BREAK OUT OF JAIL. St. Petersburg, Fla., May 14.—Four youthful "gangsters," ranging in age from 13 to 16, early this morning bored through sixteen inches of solid brick wall in the city jail here in an effort to force the lock and effect their escape.

The boys were arrested yesterday and admitted to the police they had stolen a city auto truck and were driving about the town all night. They are being held on charges of disorderly conduct.

COUNTIES REPENT OF DRASTIC CUTS MADE IN VALUES

Unable To Raise Tax Rates To Compensate For Reduced Values

WANT COMMISSION TO DISALLOW CUT ORDER

Carteret Makes Formal Appeal and Attorney General Rules That Values May Be Returned To Point Where Income Is Sufficient; Commission Meets Tomorrow

Sober second thoughts on reduction of property values, considered in the light of the fact that reduced values mean higher rates, and a limitation that will hold the rate within 15 cent limits, has moved authorities in several counties to request the Revenue Commission to disapprove what they had ordered when the Commission meets tomorrow for a review of the action of about half the counties in ordering reduction.

Carteret county the far eastern stronghold of the minority in the State has made formal petition to the Revenue Commission to be allowed to recant from its horizontal reduction of 50 per cent, and the Attorney General ruled yesterday that the county could reconsider if it so desired. Carteret couldn't figure enough income on its reduced values to run its county government, according to the chairman of the Board.

Below Deadline. Other counties throughout the State have come to the same conclusion and have communicated their conclusions, though informally, to the Revenue Commissioner. Computations both in the Commissioner's office, and on the part of various county fiscal officials have been generally productive of the opinion that much reduction in values would leave the counties below the income deadline provided in the 15 cent limitation written into the constitution last November.

The danger of too drastic reductions in county valuations was pointed out by the old Tax Commission weeks before the Revenue Commission assumed authority May 1. It was declared by Commissioner Maxwell at that time that no county could be safe in ordering a reduction that would reduce its income below the requirements of its local government needs in the face of the fact that the maximum levy would be 35 cents on the \$100 valuation.

Most of the counties went as high as 35 cents last year, though the average was somewhat less than that. All of them were held within the ten per cent increase over the previous year, with the result that many of them were required to obtain authority from the General Assembly to issue bonds to fund floating indebtedness. School incomes were not hampered by the ten per cent limitation, and exceeded it by more than a million dollars.

Forty-four counties in the State had reported an average horizontal reduction of 25 per cent when the time limit for filing reports expired April 30. Since then a dozen additional reports have been received, making some more than half the counties in the State. Others reported contentment with the present valuation, and others provision for individual adjustments of values, and some two or three new valuations altogether.

All these reports, together with those which ask re-consideration, will come up before the Revenue Commission when it meets tomorrow morning at 10 o'clock for review. No declaration of policy has as yet been announced by the Commission with regard to those counties ordering horizontal reductions in valuations, and tomorrow's session is being watched with avid interest. The action of Carteret county has indicated a new aspect of the review for consideration.

Carteret county wanted the General Assembly to cut its values in half, but the matter was left to the county boards, and when the time came, the Carteret commissioners cut it in the middle. The county had levied very nearly to the limit last year, and this year it finds itself up against the proposition of taking a 50 per cent cut in income along with the cut in values. No way has been devised of getting along without money, and now it wants values left as they were.

It is the opinion of the old Tax Commission that many counties could get along with a reasonable reduction in values without jeopardizing the county finances, but those that run 33 1/3, 50 and 60 per cent, it is believed, will of necessity reconsider.

Doctor Acquitted Of Charge. Titusville, Fla., May 14.—Dr. Paul C. Perry, of Jacksonville, one of the most widely known surgeons in Florida, was acquitted of a charge of manslaughter by a jury in circuit court here today. The case grew out of the death last year of Mrs. B. B. Laroeche, Jr., of Merritt Island, this county, thirty days after Dr. Perry had operated upon her for kidney trouble. The surgeon removed from the patient the only kidney functioning.

Brotherhood Elects Officers. Wheeling, W. Va., May 14.—All officers of the International Brotherhood of Firemen and Oilers with one exception were re-elected at the closing session of the 16th annual convention of the brotherhood here today.

Newark, N. J., was chosen as the convention city for next year.

Modify Packing Bill. Washington, May 14.—Minor changes in the Norris bill for Federal regulation of the meat packing industry were agreed upon today by the Senate agriculture committee. Plans were made to press the measure in the Senate after the May 17 Army appropriation measures are out of the way.

BAPTISTS PLAN TO CONCLUDE ANNUAL MEETING TUESDAY

Selection Of Next Place Of Meeting Left To Executive Committee

REPORTS OF DIFFERENT BOARDS HEARD YESTERDAY

Education, Sunday School and Foreign Mission Boards Make Reports; Secretary Says Foreign Missions Will Go Long Way Toward Abating Unrest In Europe

Chattanooga, Tenn., May 14.—The sixty-sixth annual session of the Southern Baptist Convention will adjourn at noon Tuesday, according to action this afternoon when the committee on order of business was instructed to so shape the program. While the selection of the next place of meeting will be left to the executive committee, the date for the assembling of the 1922 session was fixed for Wednesday after the second session day in May and Dr. S. J. Porter, of Oklahoma City, was chosen to deliver the next commencement sermon, with Dr. W. F. Powell, of Asheville, N. C., as alternate.

Need Foreign Mission. Foreign missions in the Balkan States in Southeastern Europe will do more to end war than any other power, Dr. J. F. Love, secretary of the Foreign Mission Board of the Southern Baptist Convention, told the convention in detailing the occupation of Jugo-Slavia, Hungary and Rumania, the Ukraine, Syria and Palestine by his board, and after reciting the large relief contributed by Southern Baptists, Dr. Love said: "We should feed the Armenian orphans, but should send machine guns to Turkey to prevent the Turks from making more orphans in that country." Special prayers that God will stay the devastation of the famine in China at an early date were offered by the convention this afternoon, after Dr. J. F. Love, of the Foreign Mission Board, announced that through that board Southern Baptists had sent \$140,000 in cash for famine relief in China and a similar amount to Europe, while clothing to the value of \$100,000 went to the suffering families of eastern Europe.

CHARGES COLLISION AMONG SHIP OWNERS

Seamen's Representative Says American and Foreign Owners Demand Same

Washington, May 14.—It would be "altogether too remarkable a coincidence that the shipowners of Europe and the shipowners of America should demand from the seamen substantially the same things at the same time," Andrew L. Marlin, president of the American Ship Owner's Association, the letter was in reply to published statements of Marlin that charges made by Furuseth were "libel against a responsible department of the government."

The Furuseth charges were contained in a pamphlet entitled "A Statement of Facts" which with a verbal statement made at the time it was issued alleged that reductions announced by the Shipping Board and American ship owners were a part of an international agreement among the ship operators.

NEGRO FUGITIVE IS KILLED BY PURSUERS

Atlanta, May 14.—"Boss" Rosser, negro accused of shooting and fatally wounding Deputy Sheriff Kempton, of Coweta County, was shot to death near Graniteville today by a posse which opened fire, it was declared, after the negro fired two shots at his pursuers. Deputy Kempton died today.

AURORA BOREALIS MAKES TELEGRAPHING DIFFICULT; INTERRUPTS NEWS SERVICE

Washington, May 14.—Press and commercial wires leading out of Washington early tonight were disrupted by the strange and mysterious effects of the Aurora Borealis. At intervals powerful earth currents short-circuited the wires and made it impossible to transmit either news or messages.

Each year telegraphers and re-entrant attendants are baffled by their behavior of their circuits and after making frantic efforts to tune up their wires, it finally dawns upon them that it is another visit of the Aurora Borealis and they must sit idly by and await its passing.

The two Associated Press wires and the special Washington lead wire in the News and Observer offices brought in news intermittently, the operators being interrupted time and again by the effect of the Aurora Borealis on the lines. The wires went "dead" a number of times, and sending and receiving stopped until they came to life again. All news reports to the News and Observer were considerably delayed by the peculiar phenomenon.

HARDING PREPARES TO PUT MARTIAL LAW INTO EFFECT IN MINGO STRIKE DISTRICT

PLANTS NEW HAIR IN BALD HEADS



Those bald-headed ones should cheer up, as a New York doctor says he will sew hair on arid domes. Dr. J. S. Paragan, of the big city, claims he has a machine which will make a door knob like a moss bank. Paragan, a graduate of the College of Physicians and Surgeons and a member of a number of medical societies, has been experimenting lately on himself and has injected some fifty snips of feminine hair into his head with his electric machine, the main part of which is a fast working needle that thrusts hairs into the epidermis.

Actual Declaration Of Martial Law Withheld Because Of Report That Situation Is Somewhat Better

GOVERNORS OF KENTUCKY AND WEST VIRGINIA ASK FOR GOVERNMENT TROOPS

Messages From Two States Tell President Of Serious Conditions Growing Out Of Constant Firing In Mingo and Pike Counties By Striking Miners, Which Has Been In Progress For Two Days; All Available State Troops Being Hurried To Scene Of Trouble; Passengers On Trains Seek Refuge From Flying Bullets Under Seats Of Coaches; Telephone and Telegraph Wires Being Shot Down

Williamson, W. Va., May 14.—Relative peace has been restored tonight to the mountains and valleys of Mingo county, West Virginia, and Pike county, Kentucky, after a pitched industrial battle that had lasted since Thursday morning.

Only desultory firing was going on tonight at isolated points, and authorities reported that efforts were being made to arrange a truce.

PRESIDENT TAKES STEPS TO DECLARE MARTIAL LAW. Washington, May 14.—Proclamations were signed by President Harding late today declaring the state of martial law in Mingo county, West Virginia, and Pike county, Kentucky, along the interstate border, the area affected by the coal strike riots. The proclamations were turned over to Secretary of War Weeks to be issued in his discretion should reports from the troubled region make such action necessary.

At the War Department orders were immediately after the signing of the proclamations, informing Major General George W. Reed, commanding the Fifth corps area, and Fort Benjamin Harrison, Indiana, of the President's action, and ordering him to hold a sufficient number of troops in readiness to move to make martial law effective in the area comprehended by the President's proclamation.

When President Harding decided on the drastic action, as a result of the conferences with Secretary Weeks and Senator Sutherland, of West Virginia, it was intended that the proclamations should be issued immediately. A few moments after they were signed, however, a telegram from the White House, White House from Governor Morrow, of Kentucky, announcing that the situation looked better and that the State troops had been ordered to patrol the Kentucky side of the border.

Situation Better. It was this information that caused the postponement of the issuance of the proclamations. After another conference with Mr. Weeks, the President decided to leave the papers in the War Secretary's hands and to give him authority to issue them at his discretion. Secretary Weeks immediately returned to the War Department and instructed Major General March to prepare orders and take the necessary steps to make martial law effective should the proclamation be issued.

President Harding was influenced by his decision, it was understood by his confidential sources, that the Kentucky Governor had transmitted to the President telegrams from the governors of Kentucky and West Virginia describing in detail the situation and asserting the need for Federal troops. One such message from Governor Morgan, of West Virginia, forwarded a protest from W. J. Jenks, general manager of the Norfolk & Western railway, declaring that passengers and employes traveling on the road's trains were in danger from flying bullets, that telegraph and telephone wires were being shot down and could not be repaired owing to the constant fusillade, and that passengers were compelled to take refuge beneath the seats of the cars to escape injury.

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High Point Winner. High Point beat Winston Salem and Rocky Mount for the convention place, although a heated verbal parley preceded the final choice, which was afterwards made unanimously. Thirty delegates were chosen at the afternoon session to represent the State association in the National convention to be held in Louisville, Ky., in June. Members of the State Travelers' Protective Association presented the retiring president, H. T. Morris, of Henderson, with a gold watch as an expression of their appreciation of his service and work.

Ten business and executive committees were elected at this time, also. Fully three hundred-attended today's sessions. "Let's do something" was the keynote of the morning session. A number of hotels were condemned as extortionate in prices and incompetent to house the traveling public comfortably.

A resolution to the effect that the members of the North Carolina Division, Travelers' Protective Association,

GOARDSMEN ORDERED TO GO TO SCENE OF TROUBLE. Frankfort, Ky., May 14.—Two companies of Kentucky National Guardsmen late today were ordered to McCarr, Ky., in Pike county, where a state of virtual war has been on for the last two days. Governor Edwin P. Morrow issued the order when it appeared that United States troops would not be sent to the district at the present time. The troops, who are under the command of Major Frank Innes, of the office of Adjutant General Jackson Morris, consist of one company of 90 men and an automatic rifle company of 20 men from Morehead.

Tornado Kills Three Persons In Sampson and Hurts Others

Officer McCullen and Wife Hurled 35 Yards From Their Home and Both Die

ONE NEGRO DIES FROM INJURIES AT ROSEBORO

Property Damage From Cyclone Will Amount To Fifty Thousand Or More

Clinton, May 14.—The storm of Friday afternoon zigzagging diagonally across the county from Roseboro to the Wayne line, dipped down a number of times, sweeping clear a 200 yard zone of timber and houses in Newton Grove township. Just before it left the county it flinched the home of Officer McCullen, buried him and his wife 35 yard away, leaving the husband dead with his brains oozing out and the wife fatally wounded, she living less than two hours. Numerous barns were wrecked in this community and several people slightly hurt. A cow tied to a stake was missing and had not been found hours afterwards.

In mid-county through the county, it struck several homes in Honeycutt's township, destroyed the store of J. A. Reynolds and scattering goods broadcast. It destroyed a church and Odd Fellows' lodge, one or two homes utterly, but injured none. At Roseboro one of the injured negroes died last night. The damage in the county is approximately fifty thousand dollars, the greater part being at Roseboro, where the Howard-Turlington Ginery sustained a fifteen or twenty thousand dollar loss and the Williams-McKeanth Lumber Company a considerable one. There was no tornado insurance.

Mr. H. J. Cooper, a prominent citizen and uncle of Dr. G. M. Cooper, died this morning after a long illness.

SEVEN NEGROES INJURED BY TORNADO IN WILSON COUNTY

Wilson, May 14.—Seven negroes were injured, one of them seriously, when a house on the Hiram Walton farm on Contentnea creek, near here, was blown down during a terrific wind and rain storm which visited Wilson county late yesterday. Out houses and fences were blown down and trees uprooted in different sections of the county. It is believed the damage to crops will be only slight because of the absence of hail.

TO ADVANCE BIG SUM FOR EXPORTING COTTON

Washington, May 14.—Approval of advances of \$2,000,000 to assist in financing cotton exports was announced today by the War Finance Corporation. Advancement of \$1,800,000 against cotton actually exported has already been made, the announcement said. One approval was for an advance of \$1,000,000 in connection with the shipping of cotton to foreign ports for warehousing and distribution.

The cotton will go forward to Liverpool, Havre, Genoa, Bremen and Kobe, Japan. The other application approved was also for an advance of \$1,000,000 to finance the exportation of cotton from American interior points and American ports under contracts for shipments from October to December. The corporation also announced that it has issued a circular outlining the requirements of the corporation in connection with applications for advances to American exporters and American banks, bankers and trust companies, for the purpose of assisting in the exportation of domestic products.

TRAVELERS NAME RALEIGH MAN HEAD

J. C. Bragg Slected President Of State Travelers Protective Association

Greensboro, May 14.—High Point was named as the meeting place of the next convention and J. C. Bragg, of Raleigh, president, of the Travelers' Protective Association, which has been in session here since Friday morning, at its concluding business gathering this afternoon. Governor Morrison was the guest of honor at a banquet here tonight.

Governor Morrison began his speech with a tribute to the traveling man, characterized by the Governor as combining jollity with great business sagacity, a carrier of good cheer throughout the State, in the highways and byways. From that the governor launched into a discussion of the legislation enacted by the last General Assembly. When he got to talking of good roads he warmed up.

Out of Raleigh he said, there has some a misgiving of doubt. They ask, "when are they going to build," the Governor said. The answer to that he continued, is the order of the Governor and Council of State to the highway commission to go ahead and build roads. "They ask where are they going to get the money?"

"That is none of their business," the Governor said. "That is the business of the Governor and the Council of State. We are going ahead and borrow the money to build roads as fast as sound business permits." The bonds will be marketed, he said when the financial situation justifies marketing them.

In addition to President Bragg, the following officers were chosen: First vice-president, E. F. Shaw, of Henderson; second vice-president, E. I. Fleming, Rocky Mount; third vice-president, C. L. Mosteller, Hickory; secretary-treasurer, D. C. Crutchfield, Winston-Salem; attorney, C. G. Lee, Asheville; chaplain, Rev. Isaac Hughes, Henderson. Four directors were chosen to fill the vacancies of the expired terms: J. Lester Wolfe, Charlotte; A. T. Wisheart, High Point; C. C. McLean and O. W. Patterson, Greensboro.

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