

# The News and Observer

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## THE WEATHER

North Carolina: Fair Thursday and Friday; little change in temperatures.

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SIXTEEN PAGES TODAY.

RALEIGH, N. C., THURSDAY MORNING, MARCH 8, 1923.

SIXTEEN PAGES TODAY.

PRICE: FIVE CENTS

## WAR DEPARTMENT AWARDS D. S. M. TO GENERAL A. L. COX

High Honor For Raleigh Man For Meritorious Services During War

### POLITICAL FIRING IN BUREAU IN PROGRESS

Democrats and Inactive Republicans to Walk the Plank in Engraving Bureau; Are Being Classified For Dismissal; Caraway Makes Charges

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

Washington, March 7.—Recognizing the high value of the services rendered by him in the World War, the War Department announced today that the Distinguished Service Medal had been awarded to General Albert L. Cox, of Raleigh, who served with distinction overseas. The record of the services rendered by him is such that the honor which comes to him is recognized by those who kept in close touch with him. The citation is as follows:

"Albert L. Cox, Brigadier General, Officers Reserve Corps, then Colonel, Field Artillery, United States Army, for exceptionally meritorious and distinguished services. As commanding officer of the 113th Field Artillery during its organization, training and active operations in the St. Mihiel and Meuse-Aargonne offensives, he displayed tireless energy, great resourcefulness and military attainments of a high order. By his skillful and energetic handling of his regiment he rendered the maximum support to the infantry to which he was attached so effectively that he aided materially in the successes achieved by our troops in those important engagements."

### Politics Prime Factor

Charges that politics and not proficiency in work are to determine what men are to be retained and what men are to be discharged in the reduction of forces in the Bureau of Engraving and Printing are current in Washington. More than 200 plain printers employed in the bureau are to be discharged on or before April 1, while by the first of July the present force of printers, numbering some 750, will have been reduced to 400, around 350 dismissals being planned, and in addition some 200 helpers. This reduction comes as the result of the substitution of machines for hand workers in the making of currency and bonds. By means of this labor saving machinery the expenses of the bureau will be materially reduced.

It is realized by men in the bureau that large numbers must be dismissed from the service, but the kick is as to the manner in which Director Hill is going about selection of the men to be retained and the men to be fired. It is being openly stated that in order to keep on the payroll employees who are partisan Republicans, or who have the backing of Republican Senators or Representatives, Director Hill has resorted to every trick in the book to sign a card, or to be stated, among other things, that the Congressional district in which he formerly lived, with the name of the present Representative from the district.

Passes to Congress. On the floor of the Senate it was charged by Senator Caraway—and no Republican Senator arose to deny the charge—that these cards have been submitted to Republican Senators and Representatives, lists being made of all the employees from the district, with the information asked as to whether the Senator or Representative was at all interested in the case of any of the employees from his State or district. Where this interest is shown by a Republican member of Congress, then the employee in his good graces is retained in the service. The Democrats on the other hand, have no look in, and they are preparing to walk the plank, knowing that the Republicans will be retained, even though the records show that the Democrats have rendered the better service, and even though some of them have been at work for periods ranging from five to twenty-five years.

Hill Denies It. Director Hill denies that there is to be any politics in the dismissals, but despite his denial, Senator Caraway, still investigating the matter, wants to know the reason for obtaining from the printers the names of the Representatives of their districts. On the floor of the Senate there were cards exhibited by Senator Caraway, these cards by printers of the Bureau of Engraving and Printing, giving the information as to their congressional districts and the names of the Representatives of the districts. Information is sought also as to the activity of the Republicans looking after party matters, and Republicans who cannot show that they have been active for the past year walk the plank.

There is talk that in this matter of dismissal from time to time there can be found one big cause for the dismissal of Director James I. Willmeth, one of the 25 fired after night time by President Harding. Willmeth being a Democrat, it was feared that he could not be worked to keep Republicans in job and dismiss Democrats. With Willmeth out of the way and Louis Hill in charge, there does not appear to be any trouble for the Republicans in holding on.

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## 'UNCLE JOE' BIDS CONGRESS GOOD BYE



With the closing of the 67th Congress "Uncle Joe" is retiring to his old home town of Danville, Ill. He holds the longest record for having served in the House of Representatives of any Legislator in this country. Photo shows him wearing his old campaign hat, the one he wore when he came to Congress 48 years ago, his traveling bag packed and carrying his favorite cane, posing for the last time at the Capitol.

## SUPREME COURT FILES OPINIONS

### Decides With Plaintiff in Action Against Fisheries Products Co., For \$11,410

In a batch of sixteen opinions on appeals filed by the Supreme Court yesterday, the court sustained a judgment for \$11,410 obtained in Bertie county by O. F. White against the Fisheries Products Co. In which the jury held that notes to the amount set forth were obtained by an agent of the defendant company from the plaintiff fraudulently.

On June 17, 1920, according to the facts in the case, the plaintiff designed and delivered to the defendant, three promissory notes aggregating \$11,410 due June 1, 1921. According to the understanding the notes were to be placed in the Bank of Colerain for safe keeping with the provision that if the plaintiff sold a certain farm before maturity of the notes, he would take up the notes and receive, therefore, 751 shares of stock in the defendant company. The notes, instead, were negotiated by the defendant at the Bank of Colerain.

Opinions filed by the court yesterday were: *Hines v. A. C. L. R. Co.*, Pitt, Reversed. *Lumber Co. v. Askew, Pitt*, New Trial. *Ashford v. Davis, Craven*, No Error. *Warrington v. Hardison, Pamlico*, No Error. *Cherry v. A. C. L. R. Co.*, Pitt, Reversed. *Grocery Co. v. Central Garage, Pamlico*, Reversed. *Miller v. Scott, Iredeil*, Petition Allowed. *Sanders v. Rocky Mount Savings & Trust Co.*, and *Rocky Mount Ins. & Realty Co.*, Nash, Judgment Affirmed without written opinion. *Hornor v. Parker, Vance*, Judgment Affirmed Without Written Opinion.

## INQUIRY STARTED IN ALABAMA COAL FIELDS

Birmingham, Ala., March 7.—Inquiry into conditions in Alabama coal fields was begun here today by John Hays Hammond, chairman of the United States Coal Commission. A tour of the Birmingham district was described as informal, pending arrival tonight or tomorrow of two other members of the commission, Thomas B. Marshall and Clark Howell, who will take part in the Alabama investigation.

I. W. W. Members Fined. Mobile, Ala., March 7.—Fifteen members of the I. W. W. taken in a raid here today were each fined \$50 and cost of 30 days hard labor on charges of vagrancy by the City Recorder.

As a mark of respect to the memory of Mrs. Mary C. Daniels, mother of Mr. Josephus Daniels, editor of the News and Observer, the office of the paper will be closed today until after the funeral, which will be at 11 o'clock this morning at the Methodist Church at Wilson.

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## PRESIDENT ENJOYS QUIET RECREATION IN SUNNY FLORIDA

Rest Also Proving Beneficial To Mrs. Harding; Regaining Strength

### HOUSEBOAT TRIP IS NOW IN PROGRESS

Edward B. McLean's Craft Proceeds Slowly Down Halifax River; Members of Party Make Stops For Rounds of Golf; No Schedule For Vacationists

Daytona, Fla., March 7.—President Harding today found what he is seeking in Florida—quiet and recreation. The hurry incident to the arrival at Ormond yesterday had passed and the President and Mrs. Harding with the members of their vacation party were permitted to obtain uninterrupted rest. After a night spent aboard the houseboat Pioneer just south of Daytona, the Chief Executive with his host, Edward B. McLean, Chairman Lasker, of the Shipping Board, and former Director Daves, of the Budget Bureau, came ashore and motored to Seabreeze, across the Halifax River from this city, for a game of golf.

Cruise Down River. The Pioneer, with Mrs. Harding and other members of the party aboard, proceeded down the river and anchored off New Smyrna. The President, after a round of golf, motored to New Smyrna and went aboard about one o'clock. Almost the entire winter colony there was on hand at the dock to greet him and to catch a glimpse of Mrs. Harding, who appeared on deck shortly before the arrival of the President. An hour after the President had boarded the Pioneer, the cruise down the river was resumed.

No Set Schedule. The next stopping place of the President was not announced before the departure from New Smyrna, that matter being left undecided, as will be the custom during the voyage down the Halifax and Indian Rivers and the inland waterway to Miami. The President, it was emphasized today by members of his party, has established no absolutely fixed schedule and will make none, holding that the most can be gotten from a vacation when such arrangements are left to a day by day arrangement.

The Pioneer is not a speedy craft and because of the danger of grounding on either side of the narrow channel no attempt at speed will be made. Her average is about six or eight miles an hour. Steaming at this rate during the afternoon was expected to bring her somewhere in the vicinity of Titusville for the night anchorage. This will allow another game of golf tomorrow either at Rockledge, Cocoa or Vero. Ideal weather was served the Presidential party today, although much of the South beyond the northern Florida border was feeling the chill of the passing winter.

## LEISURELY CRUISING PROGRAM

Ormond Beach, Fla., March 7.—More leisurely cruising down Florida's East Coast inland waterway and another round of golf were contemplated by President Harding today as he began the second day of his vacation.

The relaxation, not to mention the recreation he has been able to obtain since leaving Washington, already has helped him, members of the vacation party say. Despite the long railroad trip the visit to the land of perpetual summer also has been of immediate benefit to Mrs. Harding, who is gradually regaining her former strength.

## PUT NEWSPAPER MEN UNDER LICENSE SYSTEM

Bill in Oklahoma Assembly Provides For Examination and Licensing

Oklahoma City, Okla., March 7.—Newspaper editors, reporters and all persons engaged in handling "copy" for publication would be required to pass an examination before a State board of newspaper examiners and pay \$10 for a license under a bill introduced in the upper House of the State legislature late today. The measure, according to its author, seeks to lower the bill average by raising the standard of personnel on Oklahoma newspapers, and making the newspaper business a profession.

The bill provides for the revocation of licenses in case of "unethical acts" by newspaper men. Provision is made in the proposal for "cubs" who are defined as students. They would not be licensed and their editors would be responsible for their acts.

## NO WONDER FARMERS ARE ALWAYS IN DEBT

Lynchburg, Va., March 7.—Mrs. W. J. Crowder, of this city while peeling a potato yesterday found a note in it reading: "I got twenty-four cents per bushel. What did you give?" It was signed "N. F. Beardley, Stanton, Mich." and was dated January 15. Mrs. Crowder said she paid thirty cents a peck for the potatoes.

## First Picture of Mrs. Harding Since Illness



This photograph shows President and Mrs. Harding, accompanied by George Christian, Secretary to the President, leaving the White House for the special train that took them South for their first vacation in a year. This is the first picture of Mrs. Harding since her recent critical illness.

## Turlington Act Good Law, Temperance Forces Say

R. L. Davis Maintains That Indictments Pending Are Not Invalidated

### SAYS SUPREME COURT HAS PASSED ON ISSUE

Quotes Telegram Received From Harlot Clarkson, Who Piloted Measure

The Supreme Court of North Carolina has already passed on a point identical with that raised following the enactment of the Turlington prohibition act at the session of the General Assembly just adjourned in connection with the validity of indictments for violation of prohibition law now pending. R. L. Davis, Superintendent of the Anti-Saloon League, declared in a statement issued yesterday following communication received from Harlot Clarkson, of Charlotte, who piloted the measure through the General Assembly.

The court, however, will undoubtedly be called upon to pass again on this point, if W. N. O'Neal, of New Light, charged with the sale of whiskey in connection with Wake Superior court this week, his counsel will carry the case to the Supreme Court on this issue. Yesterday Judge E. H. Cranger ruled with Solicitor Evans on the validity of the indictment against O'Neal secured under the old law and refused to quash the indictment on motion for the defense based on the ground that the new Turlington Act repeals the old law.

Says It's Good Law. The statement issued by Mr. Davis yesterday follows: "By every standard this is a good law. The purpose of it, as stated in Section 2, is to prevent the use of intoxicating liquors as a beverage, and the section declares that to this end all the provisions of this act shall be liberally construed. There seemed to be some question in the General Assembly on the closing night that because the law provided that all laws in conflict with this act are hereby repealed, this act would give a loop-hole for all recent defendants charged with the violation of the old prohibition law to go free. But this case is thoroughly covered by the Supreme Court in the State versus Perkins, filed April 3, 1906. In this case Mr. Perkins was indicted under Chapter 44, Laws of 1903, and convicted in the November term, Union county, July, 1905. The offense was committed in 1904. The General Assembly of 1905 passed another and more stringent liquor law than the 1903 act. The defendant appealed on the ground that the 1905 act became operative June first, 1905, and therefore the 1903 law was repealed. The Supreme Court however held, 'That ruling of the court was in all respects correct. The opinion further says, 'There is no clause in the latter act unqualifiedly repealing prior enactments upon the same subject but by sections 26 and 27 it is provided that all laws and clauses of all laws in conflict with this act are repealed, and that the act shall be in force and effect from and after June 1st, 1905. In the opinion of Mr. Harlot Clarkson, who has just wired me, the case of the present law is parallel to this and all defendants can be tried and punished according to present indictments. The action 10 seems also to be troubling some people. This is a copy of section 23 of the Volstead Act, which reads: 'After February 1, 1920, the po-

They Open Fire. It opened with a crash and one negro entered. 'By God, I'm going to get me a nap tonight,' he swore as he groped across in effort. Mr. Thompson was in plain view, having stationed himself near Mr. Tilley and Mr. Austin did to be in line with the window. 'Throw up your hands,' Thompson shouted and almost immediately opened fire. The negro ducked at the first shot and at the second yelled, 'Inching out of the door. He and his companion who had not entered the store, ran across Glenwood Avenue to the west side of Hayes Barton and out through the Methodist Orphanage woods. Mr. Thompson, Mr. Tilley and Mr. Austin firing chase and bring when they got a good view.

Mr. Tilley stated last night that he could identify both negroes. He saw them get off the street car at the drug store in the full light of the arc light and then pass close to the store as they made their way up the road toward the County Home.

The negroes left behind them only a moving blade used in forcing open the door.

Seventh Robbery Tuesday. Policemen were on guard at this (Continued on Page Seven)

## MEMBER OF MINE WORKERS ORDERED HERRIN MASSACRE

So Declares Witness, In Identifying Hugh Willis In Court Room

### TOLD CAPTORS OF MEN TO "KILL THEM ALL"

Another Survivor of Killings Testifies; Identifies Another of Six Defendants In Case; Tells How He Escaped By Swimming a Small Lake

Marion, Ill., March 7.—(By the Associated Press.)—Hugh Willis, state board member of the Illinois Mine Workers, was pointed out from the witness stand at the second Herrin riot trial today as the man who gave an order to "kill them all" after a mob had taken forty-eight non-union workers from the mine of the Southern Illinois Coal Company last June. The accusation was made by Robert Tracy, a survivor of the riots. At the time of the outbreak, Tracy testified, he was firing a locomotive at the mine and was a union man, being a member of the International Brotherhood of Steam Shovel Workers and Dredgemen.

Kill Them All. "Don't kill these men on the public highway where there are women and children," he testified Willis as saying. "Take them over into the woods and don't let one get away, kill them all."

The witness also picked out Otis Clark from among the six defendants charged with the murder of Antonio Mulkovich, former soldier, veteran of the Somme and the Argonne, and one of the victims of the tragedy. Tracy testified he had seen Clark walk up to C. K. McDowell, crippled superintendent of the mine and another victim of the riot, curse him and beat him over the head with the butt of a pistol. He said Clark told McDowell: "I'm going to kill you and tear you to pieces for bait to catch fish with, you scab."

## PICK AXE YEGGS ARE FRUSTRATED

Two Negroes Fired On and One Probably Wounded in Robbery Attempt

What might have been the eighth in a series of pick axe safe robberies in Raleigh was frustrated at 12:30 this morning when E. Lloyd Tilley, deputy clerk of Court, U. E. Austin, and O. M. Thompson, of the Austin Taylor Co., and the Hayes Barton Pharmacy located in the building at the north end of Glenwood Avenue, fired on two negroes who had entered the drug store by prizing open the rear door. The police were notified and immediately a search for the men, one of both of whom, it was believed, had been wounded.

## TAR HEELS HONORED BY THE PORTUGUESE

Decorations Awarded By Portuguese To 120th and 107th Regiments

Washington, March 7.—The Portuguese government has awarded the decoration of Torre Eshada to the 120th and 107th National Guard Infantry Regiments for participation alongside Portuguese units in the World War. The decorations were conferred on the regiments at a ceremony with headquarters at Atlanta and New York were instructed today by the War Department to decorate the colors of the two regiments with appropriate ceremony.

## WILMINGTON SWEEP BY GALE; STEAMER IS SUNK

Wilmington, March 7.—A forty-mile gale with gusts of chilling rain swept over Wilmington last night. The steamer E. P. Hart, of the New York, Wilmington and Fayetteville Steamboat Company, was sunk at the Cape Fear River since the days prior to the Civil War.

She was the last of the historic fleet of side wheelers navigating the Cape Fear River since the days prior to the Civil War.

## BISHOP DENNY ATTENDS CO-OPERATIVES LAND IN LIVERPOOL MARKET

Dallas, Tex., March 7.—The American Cotton Growers' Exchange, representing more than 150,000 cotton growers in co-operative marketing of their crop, has acquired control of a seat in the Liverpool Cotton Exchange through H. B. Porter, of Liverpool. L. P. McKay, director of information of the exchange, announced here today. Mr. Porter, who is the seat in the exchange, is devoting his attention to the interests of the American association, and the organization will participate actively in the English market through him, L. P. McKay announced.

## WILL HELP HANDLE WAR FRAUDS CASES



Thomas S. Crago, (upper) retiring Representative-at-Large of Pennsylvania, and Governor Thomas W. Hardwick, (lower) of Georgia, have accepted appointments as Special Assistant Attorneys General to assist in the investigation and prosecution of war frauds cases.

## HARDWICK JOINS DEPT. OF JUSTICE

Georgia Governor and Thomas Crago To Help Handle War Frauds Cases

Atlanta, Ga., March 7.—Governor Thomas W. Hardwick announced here today that he would accept an appointment as special United States Attorney General at the expiration in June of his term as Governor of Georgia.

Governor Hardwick will be succeeded June 27 by Clifford M. Walker, who was elected in the general election last fall. Hardwick's statement in a statement today announcing his acceptance of the appointment, the Governor said: "The position in question is special assistant to the Attorney General on the Advisory Board of the War transaction Section of the Department of Justice, for the investigation and prosecution of fraud cases growing out of the war."

"The appointment is strictly and purely a professional and non-political one, my immediate predecessor being former Senator Thomas, of Colorado, a Democrat. At an early date I shall go to Washington for a consultation with my colleagues and I hope to be able to begin my service there on January 1."

## THOMAS S. CRAGO ALSO IS SPECIAL ASSISTANT

Washington, March 7.—Thomas S. Crago, retiring Representative-at-Large from Pennsylvania, has been appointed as one of the special assistants to the Attorney General assigned to the handling of war fraud cases.

## DISQUALIFIES KLAN IN KU KLUX KLAN CASE

Deland, Fla., March 7.—County Judge Pearson today was disqualified as a committing magistrate in the case of Charles Post and Lee Rodgers, charged with assault with intent to murder following their resisting arrest after forcibly disrupting two Klansmen on the streets of Daytona recently on the night of a Klan parade.

## CO-OPERATIVES LAND IN LIVERPOOL MARKET

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## TRY TO UNTANGLE TRANSPORT SNARL IN OCCUPIED ZONE

British and French Trying To Come To Terms Over Use of Railways

### FRENCH SEND TRAINS THROUGH BRITISH AREA

Paris Foreign Office Declares Cuno's Speech Shows Vain Efforts To Stir Up Public Opinion Against Occupation Forces; Disorders at Essen

London, March 7.—(By The Associated Press.)—General Sir Arthur Godley, commander of the British troops at Cologne, arrived in London today and conferred with War Office officials. Later he met the Cabinet committee and submitted the draft of an agreement drawn up with General Dugoutte, commander of the French troops in the German occupied territory, regarding the amount of transport the French should be permitted through the Cologne zone.

In allowing the French approximately ten trains daily across the zone and guaranteeing no trouble with the German workmen in the handling of these trains, the British believe they have made ample concessions. The British government is expected to give speedy approval to the agreement, but until the French have accepted it, officials here see no settlement of the Anglo-French transport snarl in the Ruhr.

## ADDITIONAL TERRITORY OCCUPIED BY THE FRENCH

Cologne, March 7.—(By The Associated Press.)—Additional territory east of Cologne was occupied today by the French troops in order to give France complete control of all the customs posts on the right bank of the Rhine. By this move the British bridgehead at Cologne is now surrounded by French patrols and outposts. The area east of Cologne for the present is being patrolled by the French.

The customs posts at the Derringshausen railroad junction and in the town of Wipperfurth, southeast of Silerfeld, were occupied by the French Tuesday, and detachments of French troops were stationed at Silerfeld and Remscheid to guard the lines of communication extending from Remscheid just beyond the British area.

## SAYS EFFORTS TO STIR UP POPULATION VAIN

Paris, March 7.—(By The Associated Press.)—Chancellor Cuno, in his speech yesterday, showed that the German government is making vain efforts to stir up public opinion and incite the Ruhr workmen against the occupational forces, it was declared at the Foreign Office today.

By the charges he made concerning alleged French atrocities he showed that his policy had not met with success, it was added.

## BERLIN WILL SUPPORT DECREASE IN PRICES

Berlin, March 7.—(By The Associated Press.)—The government, it is semi-officially announced, has resolved to support a general decrease in prices. The downward trend began with the appreciation of the mark.

## DEPUTY EXPELLED FROM RUHR BY THE FRENCH

Berlin, March 7.—President Leche of the Reichstag, announced today that Pastor Horrell, deputy of the occupied area, had been expelled by the Rhineland Commission on account of alleged inflammatory speeches.

## ARGENTINE NOT OUT OF LEAGUE OF NATIONS

Buenos Aires, March 7.—(By The Associated Press.)—The retirement of the Argentine delegation from the Assembly of the League of Nations in December, 1920, did not imply the withdrawal of Argentina from the League itself, in the opinion of Foreign Minister Gallardo.

Argentina's withdrawal from the Assembly followed the rejection by that body of the Argentine proposal to admit all sovereign nations to membership.

To Depart Alone. Charleston, S. C., March 7.—Yard agents alleged to have been members of a party of 25 smuggled into the United States from Cuba at Panama City, Florida, tonight left here in charge of immigration officers for Tampa, from which post they will be deported.