Approval of Soldiers' Bonus Bill By Senate Committee Forecast Baseball Not Interstate

ANVASS REVEALS Hundred Employes

Expect Bill to Be Reported Out in the Immediate Future.

M'CUMBER READY TO PRESS FOR ACTION

restion Whether Bonus Should Replace the Tariff Bill.

nus bill following closely along.

The fire was confined to the loft and the two upper stories, but the store officials say the stock in the ecast today by members of that ats, after the subject had

An informal canvass of the ittes today indicated that mbers were divided, 9 to ouse measure rans in lieu of all other forms ompetation, while one committe Senator Williams, democr. osed to any bonus legislatic

hether a land reclamation probe included in the mber plan is an open question ne before a bonus bill is reported the senate. Chairman McCumbe reported out in the im-

in the usual course, would go were initiated. the senate calendar to remain . The members of the Bagdad

cussion of the question.

Aside from a provision to pay

n funds during the first One years and the treasury thereduring the 20 years of the the certificates. The certiwould have a face value America. credit at the rate of \$1 a domestic service and \$1.25 for foreign service and the ould be payable at the end

with those in the house land settlement, or lon feature in the house has been eliminated. and house to have some kind amittee of republican meinfinance committee hearings today on that

FAILS TO FIND YOUNG BANK ROBBER

EENSBORO, N. C., May 29 .posses and sheriff's deputonight been unable to trace of a young white who this morning about 11 boldly walked into the litat Summerfield, 12 miles covering both Howard Simpson Director R. H. Hoskins with

to that of a week young white man, Grady centered the Bank of man near here and holding officials took \$500 in d disappeared. Ferguson is at large and it is said that the of the Summerfield robber fits that of the Ran-

a few minutes after the rob this morning, citizens of the arfield section were searchthe woods for the bandit and afterwards Sheriff Stafford The man-hunt continued

Barely Escape as Store Is Burned

ESTABLISHED 1868.

Memphis Department Store Sustains Damage of

e, one of the largest department of \$750,000, principally from

Hundreds of employes barely escaped from the building, as fanned by a high wind, the flame swept through a frame loft erected for storage purposes on the roof of the seven story building and spread the main structure.

Forty-nine Asheville Dokays in the Divan, Team and Band.

WINSTON-SALEM, May 29. ress for action as speedily as is tumed members of the order were After reaching the senate, the at the armory, where about 100

up by Senator Mc- Temple arrived yesterday umber. There is a difference of moon, from Asheville and immedi-pinion among republican leaders ately went to the Zinzendorf hotel to whether the bonus should where they registered Last night place the tariff bill at any time with the local Dokays, they attendon so the probable time at which ed services at the home Moravian senate will get into the bonus church. All the members of club wore their full regalia and at- place.

Schator McCumber is of the tracted much attention.

pinion that the senate can dissipate the measure with a few from Asheville with the Divan and says of consideration, but his view brigand team and this morning onents of a bonus in any form as Temple arrived, making a delega-tell as opponents of the amended tion of 75. One of the most interise bill are prepared for a long esting features of the Bagdad ussion of the question. Temple was the band that is com-Both the McCumber and Smoot posed of 20 pieces, and every membrans have been outlined in some ber of this organization has seen stall to President Harding with

view of obtaining an expression opinion from him but the combined with their sideration, without having resideration, without having resideration, without having resideration of the manual side and given instruction on the manual sideration, without having resideration, without having resideration, without having resideration of contests but not often have the shown through local tobacco plants and given instruction on the manual supreme court of the United States are in the Baltimore Federal League baseball case. Although the case was unusual in this history of the Brunswick stew was served on the states and smok-like the states and smok

the Tyres and rookles were enter-the to veterans whose compensa-the Tyres and rookles were enter-twould not exceed \$50, the Mc-tained on the courthouse square banks would be authorized and Tyros from Greensboro.

One of the many celebrities present at the ceremonial today vas Major Mertz, of Salisbury, known as the smallest Dokle in

of the veterans' adjusted LYNCHBURG DEPARTMENT STORE DAMAGED \$300,000

o service and \$1.25 LYNCHBURG. Va., May 29.—Fire of undetermined origin which broke out at 8.10 o'clock tonight in the third floor of the J. R. Millner deof the holder.

of the holder.

of the holder.

ere also would be provisions mate damage of \$300,000 to that firm and to the Moore Stationery company and the Western Telegraph continued for the first party and the Western Telegraph company, all on Main street. Practically sits these in the August Stationery in the loss L. covered by in-At 10 o'clock the fire was under

At 10 o'clock the fire was under control despite the bursting of a water main which threatened to negative the efforts of the firemen.

Milliner's department store occupies four floors in its own building and the two top floors of the Western building owned by the Wall estate. Water coming through the ceiling did unestimated damage to the Western Union equipment, and interrupted its service. Moore Stationery company's loss was due entirely to water dripping through on perishable stock.

WAGE REDUCTION WILL AFFECT 400,000

nance of way employes of the na-tion's raliways today face a \$48,-1100 S 12 Ways today 000,000 wage reduction effective July 1. The railroad labor board list night promulgated the order which affects 400,000 men. This order, the \$400,000,000 slash of olver, took \$1,500 in currency of last Jul, and orders affecting other the bank and backing out of classes, if they carry the same ullding walked across the highway, across a meadow of larres and disappeared in \$600,000,000 increases of May, oods.

Impending decisions governing the Impending decisions governing the Mages of 500,000 railway shopmen, 200,000 clerks, telegraphers, station employes and other classes, were expected to follow closely upon last night's order, which cut the pay of maintenance of way workers from paye to five cents an hour.

Necessary

The travel incident to professional baseball, counsel for the big league contended, is not the end in view but merely the means of getting the players where contests are scheduled maintenance of way workers from players habitually and necessarily cross state lines does not constitute. one to five cents an hour.

NAME MYERS PHYSICIAN

RALEIGH. May 29.—Governor Morrison today appointed Dr. Alonza Myers, of Charlotte, a member of the staff of visiting physicians for the hospital at Morganton. Dr. Myers, one of the state's best known physicians, was decorated with a high the property of the state's best known physicians. well after dark but without Fren

Commerce, Supreme Court Decides.

TRANSPORTATION OF PLAYERS ESSENTIAL

Case Unique and One of the Few of Its Kind to Reach Highest Court.

WASHINGTON, May 29.-Professional baseball, as conducted by the federal tribunal.
teams operating under the nation- The state and counties are exive electric wiring, late today guited the two upper floors of the Bry-Bloe Mercantile company, prosecuted under the Sherman act as combinations in restraint of the supreme court to day decided in a case brought by Federal league.

> Contending that it had been the had "sold out" to the National and the American leagues, the Baltientered the federal mitted its suit to lapse pending of organized baseball for a satis factory settlement. Falling it instituted a suit under the Sherman act in the courts of the District of Columbia, claiming triple dam-ages for the losses it had suffered the Federal league dis-

court, delivered by Justice Holmes, held that games by teams in the cational agreement "are purely state affairs." The transportation of players

was described as "a mere incident not the essential thing." That to which it is incident, the exhibition, although made for money," it was added, "would no:

Subject of Commerce

"Personal efforts," constituting

erson engage in commerce simp-

thion.

At 2:30 o'clock this afternoon se compensation to pay the Tyres and rookies were enter-tained on the courthouse square and at 2:30 a royal welcome was extended to the visiting delegates and Tyres from Greenshore. lishanding occurred under what is renerally known as the peace greement. The proceedings were apparently satisfied but decidedly natituted in the District of Columbia sore. They know that had the supreme court September 20, 1917, votes of Macon and Clay been cast after a similar action brought in in the convention their man would Philadeiphia had been dismissed on have been the nominee. The bal-

> Organized baseball operating under the commonly termed national agree-ment was charged by the Baltlmore club in its suit asking damages amounting to \$300,000, with mainte-nance of a monopoly of the baseball business in restraint of trade netween the various states. The Baltimore club alleged that it had been damaged to the extent of \$300,000 on account of the failure of the Federal league. The district supreme court upheld the Baltimore club's contentions in the main and returned a verdict of damages amounting to \$8,000 which under Sherman Anti-Trust law proceedings is trebled. The court of appeals of the district reversed that decision and dismissed the case on the ground that professional baseball is not interstate commerce. The Baltimore club then appealed to the supreme court.

The supreme court of the United States was called upon to decide more than whether the Baltimore sates was called upon to decide more than whether the Baltimore club was entitled to recover \$80,000 damages from organized baseball. A decision in favor of the Baltimore club meant that the government although not participating in the case would be able if it chose to proceed criminally against organized baseball as an unlawful monopoly in restraint of interstate commerce in violation of the Shermen act.

Counsel for the Baltimore club before the supreme court argued that

fore the supreme court argued that the court having held constitutional the white stave traffic act on the ground that the transportation of individuals across state lines constituted interstate commerce over which congress had jurisdiction there could be no doubt that the transportation by clubs of professional baseball players across state lives. baseball players across state lines to filling schedule engagement also Interstaté commerce

players habitually and necessarily cross state lines does not constitute MYERS PHYSICIAN
FOR STATE HOSPITAL

(By BROCK BARKLEY)
IGH. May 29.—Governor today appointed Dr. Alonza th Charlotte, a member of the visiting physicians for the at Morganton. Dr. Myers, he state's best known physicas decorated with a high was possible only under the

Compelled to Pay Taxes Without Waiting Final Decision In Case

CITIEN NEWS BUREAU
TABORDOGU BOTEL
(By BROFK BARKLEY)
RALEIGH, May 29.— Advices
from Washington of the supreme ourt's refusal to grant a restrain-ng order delaying the collection by the state from the callroads of sround \$750,000 of tax money in

spute was received with elation officials here. The action of the court means hat the five railroads which instituted suits against the state taxing authorities, alleging unjust property valuations, must pay the disputed taxes without waiting for the final disposition of the case before

pected to receive the full payment at an early date, placing at their disposal tax money which otherwise would have been held up un-

Agreement to Abide by G. O. P. Convention Is Fatal to Jenkins.

out of the republican judicial con-vention held here resembling a With his simple, concise, comflounder or a socketbook that had prehensive and persuasive relation been tread upon by a pachyderm. If the co-sperative movement, Mr. Jenkins, of Robbinsville, and Sapiro sketched the organization Mr. Jenkins, of Robbinsville, and E. P. Stiliwell, of Sylva, were candidates for the republican nomination for the post of prosecuting attorney for the district of the extreme west until late Saturday aftthe ernoon when the roller had rolled for and Stillwell alone was left to view the wreckage of Jenkins' lost hope and of George Ward and John B. the commonly accepted use of Ensley sitting astride the might machine as it pondered its ponderous way.

Hence both filed their names commerce than would be a "firm nominate him and gladly agreed to flawyers sending out a member to argue a case" or a "chautau-to argue a case" or a "chautau-to argue a case" or a "chautau-to a vote there was discord among brethen. Haywood and lecturers." In neither case, Justice Holmes pointed out, does the person engage in commerce simple and Stillwell: Swain gave Jenkins 10 Make Experiments and Stillwell 2; Cherokee and Grand Landwertising in building the arguer of advertising in building the arguer of a case. and Stillwell 2; Cherokee and Graham went solidly for Jenkins; Macon, to the suprise of Jenkins' supcongress, but publicity at least President has given no indicator of a change of mind since he was the drill and hand concert at the house ways and means a sales tax or postpone encent of the legislation.

de from a provision to pay to restration was watched by a great was nousial in this history of the instance areas was unusual in this history of the instance areas was unusual

otion of counsel for the Baltimore loting in the convention showed that had Chairman John B. Ensley of Jackson county, admitted the wired proxy of Clay, the Graham county man would have been endorsed instead of the Jacksonian They felt sure that were the figh carried to the primaries Jenkins would win by a big majority and they knew before the agreement was made to allow the convention to settle the matter that the Clay and knowing that it would give Jenkins the majority expected that he would be the nominee of the convention. In fact, that thought that all the cards were on the table and that their man held the winning hand. They didn't know that there was a joker in the deck. that he was hidden deep and dark were playing with old hands in

The thing finally developed into a regular deadlock of the days of long ago when the plan of nomi-nating candidates was the political convention and the fate of candidates hung upon the whim of the manipulators behind the punch and judy show. In the end Jenkins moved to make the nomina-

An interesting phase of the sit-cation is the fact that tickets for the primary were already printed some of the other counties and on them appear the names of Theo-dore M. Jenkins and E. P. Stillwel as republican candidates for solici tor, which raises the question of what would be the result should the republicans, when they go to the polls Saturday, vote for Jen-kins, disregarding the action of the convention about which many them pobably have not been formed, and should give Jenkins a over the nomines of the conven

RAILROADS MUST ASSERTS MODERN Patients At Oteen Registered PAY STATE TAX MARKET SYSTEM

Expert Tells of Co-operative Market at State College Exercises.

FINDS ADVERTISING IS FARM NECESSITY

Governor Morrison to Address Graduates This Morning.

CITIERN NEWS SCHOOL

TARROLDEGH BOTEL HALEIGH, May 28 - Co-opera-ve hurketing as a caseer for oung non aspiring to leadership to the attention secon, mendations, by Aaron Sip o in delivering the com-mencement address tonight.

It's the biggest and richest field endeavor now before young in he dvised. There are only understand co-operative keting. I could place 50 men-

dience of college students, ulturalists and city-dwellers A verdict for \$50,000 was obtined before a jury in the sulfied before a ju

iom the caising of the product to practical side of the whole affair and making it look like a business prospect that would draw in any Sapiro Cites California Methods

He took California as his ex- me of rumors and reports the ample of the successful operation been brought to Asheville, of the movement because their cerning the irregular regist

"That which in its consummation is not commerce," he declared district in Bryson City the Stillwell borhood eggs brought; of making the fight and both candidates agree belief the circuit; he said, is no more engaged in interstate commerce than would be a "firm"

at least his friends so claim. When production over a whole year and the pow-wow convened of the residence of the matter myself, cents more the dozen than neighbourness from the firm of the Twentieth judical cents more the dozen than neighbourness from the dozen than neighbourness from the fight and both candidates agree to let the convention settle the fight and both candidates agree selection. The Jenkins people the courtry; of the system of distribution in the little paste-board boxes all over the courtry; of the system of distribution. The Jenkins people the courtry; of the system of distribution of oranges—reaching a climax by stressing the wonderful nominate him and gladly agreed commerce than would be a "firm".

much of a necessity for the farm istration books that Mr.

In Advertising Mediums
Experiments of the magazine s advertising mediums first, and instance of rined nearly double the results ough the newspapers' brought results. There a field could picked, dependent upon the buying capacity of the public, and he teturns were wonderful.

He transformed the individual efforts of the cotton planter into he co-operative efforts of a giant ne Uni'ed States Steel corporation. financially able to compete big business in the world Mr.

knowledge of business, niation to devise new ays and means of using the prodtechnical understanding of

a new ofe, he said of grading, whether the market an absorb seven million or twelve illion I'a es; he doesn't know the absorbing powers of the market; be hasn't financial connections." That is the reason he can't get along." Mr. Sapiro ascertained. mentation with cotton to see what county votes had been wired to could be done with it, whether the chairman of the convention bales could not be wrapped in cot England, the manufacture of mes merized cotton and its possibilities. The finding of new use through the co-operative will be past as possible as new devises for selling the ratsin, like the small box found in all the stores.' Senior Class

Gives Attention The graduating class gave tion of it is made up of fellows precinct.
who studied agriculture. He was All of the above is from my own pointing them to a new field of endeavor that is just as promising venrs ago-something new where leaderst ip will pay and make pos-

of pure athletics and opposing any estroy the program of keeping from Auril thletics at State College on a high Peace and Meredith finals will

reensboro, will address the Peace GENERAL MITCHELL HURT IN FALL FROM HORSE

law.

Unless the Jenkins forces get ell. of the government aviation These ballots were turned over to busy and call off their workers that service, fell from a horse late yes. it became known today.

Pennell And Elias, Jones Holds T Commend Citizen's Exposure Election

Through Illegal Methods Of

Reveals Scheme Was Also Worked There

States Facts Which Lead to Expose of Incident at Oteen Hospital. ENTIRE PROCEDURE VIOLATION OF LAW

Says Pennell's Attack Is Effort to Becloud the Issue.

Chas. A. Webb, on last night, gave out a statement in reply to George Pennell as follows:

undertaken to becloud the issue and sidestep the question by making more or less of a personal at tack upon me, asserting in effecthat The Citizen and I have some the public the disgraceful effort t put over what appears to be high handed and unlawful acts on the part of himself and others in the Oteen registration and voting mat-

act and made \$240,000 but this his aspirations to be solicitor of the example of living and its joy taken to make this affair a per was set aside by the district court. Twentieth judicial district came as the prosperous city business sonal matter and has endeavored to impunge my motives, I welcom public of the part taken by me outrages ever attempted to be im-

called to the telephone by a prom inent Asheville citizen, who told me of rumors and reports that had farmers, who 16 years ago had and voting, under the absentee their boys and girls and wives in other law, of a large number of the fields, now have their children ex-service men at Oteen. Having "Personal efforts," constitutions the professional game is "not related to production," the justice said and "Is not a subject of commerce."

with the said and Jentesoris.

It is not a subject of commerce. The production of the marketing of the with the state board of elections as in college and their wives at the heard during the last four years candidates for the office and Jen-resorts.

He told of the marketing of leged irregularities in the holding

California found Don Elias and C. K. Hughes lation of election law whatsoever. hen their centering on the news-hapers "because we found we ob-with a great deal of hesitancy many closed on Saturday, I was called of the patients of Oteen, some of to Oteen. Upon reaching the post whom were bed ridden and some exchange, I found J. Marion Robwhom were bed ridden and some exchange, I found a some of the oldest registrars of North Carolina provides were as I recall in the last stages in the county, in company with of tuberculosis: That he protested against further registration of Roberts stated that he did not istrars and judges of elethese patients and finally stated expect to find so many voters dether respective countless.

in another precinct in the city, as registrar of Swannanoa township: otton, there is not one who knows ing to Mr. Roberts: that Roberts to Elias and that Elias continued the registration of voters all that afternoon and finally returned the book to Mr. Roberts at his resi-That this book contains the names of 126 men and women patients at Oteen: that of this number only 22 were natives of North Carolina. that they were distributed from 21 different states in the Union: that among the list were 10 republi-cans; that two were given as natives of Italy, one of Ireland and one of Greece: that all of these names appeared upon the registraon book in the handwriting of Elias: that on Saturday morning. without further appointment, Rob-con erts continued to act as registrar Mr.

personal examination.
I had also ascertained from re as was the automobile industry 10 porters of The Citizen who went campaign of 1918, and at the close years ago—something new where to Oteen at my instance that one of the same, in an editorial in The of the young men who was regis- Asheville Times, then owned slible the rendering of service.

The cosing exercises of State the 14th day of April last; that on College will conclude with exerting the 19th day of May, only one in the conduct of the camexer the 19th day of May, only when month and five days after tion of Stillwell unanimous and cases tomorrow morning when month and five days after this pledged him his support, but the diplomas will be presented. Govrepublicans or many of them in ernor Morrison and others will pital and into Buncombe county pledged him his support, out the print and others will please and there is a dark taste please and there is a dark taste one captured and the print and the taken up by the alumni at its annual luncheon today. A resolution, offered by Eugene Bagwell, recording the association's approval uary of this year who was regis-tered: that another came from a western state last August. He was registered: that another came from Augusta, Georgia, last Augus and that he had been registered and that, one day last week, Elias and Tom Bird went to the hospital with their pockets loaded down ome temorrow night with the losing addresses, Dr. Henry Mere, with their pockets loaded down it and Dr. C. F. Raynall, of with absentee ballots and voted many of those whom Elias had previously registered. Most of the patients interviewed stated that they could not remember the names of the persons for whon for such persons as had been sug

Investigation at Kenilworth

Asheville's thinking men and women yesterday seriously considered the startling revelations made through the Monday morning Cit izen regarding the registration and oting upon absentee ballots at the and Kenilworth public healt) quarter of the city it furnished the

The trend of public opinion, as certained definitely through interviews with both men and women of standing in the community, is strong in denunciation of the whole proceeding as a reflection upon the democratic party, or rather, certain of its leaders, and that it is absolutely necessary for the party leaders to be fair and conduct the By telephone, calling in person

worth let it be known in no unertain language that they wished o commend The Citizen for its bold uncovering of the methods

Asserts Appointment of Elias Is in Keeping With the Statute.

George Pennell, chairman of the county board of elections, in defending his action in the ap-pointment of Don S. Elias, registrar of Swannanoa township for a day in order to register certain patients at Oteen, yesterday issued the following statement: "The attack in The Asheville

Mr. Roberts, at the The same has been regular, Messrs. Elias and and above board. On Friday that he would have to go home: that he would return immethat then Elias notified Pennell of the situation: that Pennell came to diately, and that he had to list Oteen and immediately swore in Mr. Elias, a non-resident of the township and not a qualified voter of the township, who was also at the stream of the township, who was also at the stream of the township, who was also at the stream of the township, who was also at the stream of the township. appointed for him, as he would be and biennially thereafter, was only affording the sick sol- persons by the sheriff. who would interfere with the reg-

istering was violating the statute. "The cause for the whole complaint is due to the fact that of elections."

Charles A. Webb is supporting Under the provisions of certain candidates who are oppon-ents to the candidates mentioned county board of elections Webb, the board of him is to be guilty of heres; and or shall die or resign, or if there subject to his charges of unlawful shall for any other cause be a vaand wrongful acts. I was closely associated with Mr. Webb in the Webb, and which editorial he

"In the conduct of the campaign in addition to a number of keenly interested men, here and throughout the tenth district, three men stand out as deserving of an expression of the peoples' appreciation. The work of the campaign was arduous. It was a service of love, devotion to the deals of Americanism, impeding the best to be found in a man. A. Hall Johnston George Pennell, chairman of board of elections. S. Coleman, stood out as leaders and the service rendered by these three men was marked by intelligent. otic and loyal consecration of time and talent to the interest of the people of the county. district, state and nation

man of the board of elections vas largely increased because of the unusual conditions, and notwithstanding the of some of the demands and

Tactics at Oteen ELIAS REGIS

Judge Jones Avers Pa tients From Other States Cannot Vote Here.

ASSERT OTEEN IS U. S. RESERVATION

Those Registered by Elias Not Qualified to Vote In Primary.

primaries legally and without the to the suffrage status of soldiers employment of unjust or high-handed methods. here, The Asheville Citizen yesterand in other ways of communica- day requested Judge Thomas A.

ient at Oteen hospital, who was a employed at the government hos- resident of a state other than Carolina, has not the ight to register and vote in North Carolina, regardless of the length of time in which he has been such a patient. Judge Jones bases this opinion on the law regarding the suffrage status of those on lands acquired by the United States as a government reservation. In reference to the appointment

of Don Elias as registrar of elec-tions for Swannanoa township, by George Pennell, chairman of the board of elections of Buncombe county, and whether or not patlents at Oteen, who were residents of a state other than North Carolina, registered by Mr. Elias may vote, Judge Jones holds the opinion that Mr. Pennell had no legal sower to appoint Mr. Elias, and that such appointment was illegal and that any voters who were registered by Mr. Elias will not be entitled to vote in the pri-

"The altack in The Asheville Citizen on yesterday morning, editorially and in the news story, upon the chairman of the board of elections, and certain candidates and prominent democratic work-About Registration

I ascertained from Mr Robers in this county was uncalled
for, unjust and unfair. It had its
birth and conception in a caucus
birth and concepti North Carolina regardless of such patients at Oteen hospital.

First—The Appointment of Don Elias as Registrar of Elections fo Swannanoa Township 928 of the Consolidated Statutes of North Carolina provides that "The county board of elections in each county shall appoint all reg-

of the township, who was also at it was suggested that he resign ber, in the year of our Lord one that very time a judge of election temporarily and a substitute be thousand nine hundred and six required to be at the polls the next son of good repute and standing, day. In order to comply with the who shall act as registrar for each narketing and distribution—all that Roberts did not resign as regthese combined in the big business istrar, that he was not requested will take the southern farmer into a new often to comply with the suggestion and request I issued to resign as registrar and that an order of appointment to D. S., said county board of elections shall nothing was said about his resign.

"Of the 1,000,000 men growing ing as registrar: This all, according the regularly and Mr. Roberts rein regularly and Mr. Roberts rein regularly and Mr. Roberts rein preparation of the next soon of good repute and standing, day, in order to comply with the wo shall act as registrar for each suggestion and request I issued an order of appointment to D. S., said county board of elections shall not regularly and Mr. Roberts rein required to be at the polls the next soon of good repute and standing, day, in order to comply with the wo shall act as registrar for each suggestion and request I issued an order of appointment to D. S., said county board of elections shall not regularly and Mr. Roberts rein required to be at the polls the next soon of good repute and standing, day, in order to comply with the suggestion and request I issued an order of appointment to D. S., said county board of elections shall not resign as registrar and that an order of appointment to D. S., said county board of elections shall not resign as registrar and that an order of appointment to D. S., said county board of elections shall not resign as registrar and that an order of appointment to D. S., said county board of elections shall not resign as registrar and that an order of appointment to D. S., said county board of elections shall not resign as registrar and that an order of appointment to D. S., said county board of elections shall not resign as registrar and that an order of appointment to D. S., said county board of elections shall not resign as registrar and that an order of appointment to D. S., said county board of elections shall not resign as registra Elias for one day only, swore him make publication of the names of in regularly and Mr. Roberts returned to his home. The action courthouse door immediately after is clearly within the statute, nothing such appointment, and shall cause ing illegal or wrong about it, and a notice to be served upon said diers located at this place an op-portunity to become duly qualified voters, all of whom took the oath voters, all of whom took the path required by law that they were duly qualified voters of the State of North Carolina, and any man who would interfere with the regtions may appoint another in his place. No person who is a candi-date shall be a registrar or judge

in the news story of yesterday. As appoint a registrar when the registrons as the board of elections will transpointed by the county board comply strictly with the request of of elections has falled. To perform election the duties, and for that and is now the registrar of this is all right, but to disagree with other cause be removed from office

cancy in said office."
Registrar Roberts Had Not Resigned. The facts, as stated to me, are

that J. Marion Roberts had been duly appointed by the county board of elections of Buncombe county egistrar for Swannanoa township that he had not for any cause been removed from his said office as registrar, and that he had not died or resigned, and that there was no vacancy in said office for any other As tending to show that there had been on resignation or vacancy in the said office, it appears that Mr. Elias, after regis-tering the patients at Oteen hos took back the registration books to Mr. Roberts, and that after receiving the books, he. Roberts, continued to act as such reg istrar, and that on the next day he registered voters; thereby showing that both Mr. Ellas and Mr. Roberts understood that Mr. Roberts had not resigned as registrar, nor

Upon these facts, I am of the pinion that Mr. Pennell, chairman of the board of elections, had no power under the provisions of said section, No. 5929, to appoint Mr. Elias as a registrar of elec-tions in Swannanoa township: that