

WASHINGTON, Jan. 29.—Forecast for North Carolina: Cloudy and probably rain in interior Tuesday; Wednesday rain.

ESTABLISHED 1868.

ASHEVILLE, N. C., TUESDAY MORNING, JANUARY 30, 1923.

PRICE FIVE CENTS

THE ASHEVILLE CITIZEN

"DEDICATED TO THE UP-BUILDING OF WESTERN NORTH CAROLINA"

4 PAGES TODAY

CITY BOUNDARIES ARE DISCUSSED AT OPEN HEARING

Sentiment of Majority Favors no Extension of City Limits.

COMMISSIONERS TO MEET WEDNESDAY

Adams Questions Right of Annexation With-out Benefits.

Boundaries of the City of Asheville will remain unchanged for the present, according to the general opinion prevailing in City Hall circles, which was strengthened when City Commissioners and members of the City Planning Commission held an open hearing yesterday for those interested in presenting their views on the question of extension.

Clear and convincing logic for and against proposed extensions, representing the views of residents and interested business men, was brought into play during the session, which lasted for over two hours and a number present, at the close of the hearing, expressed the opinion that the commissioners were inclined with the commission that the boundaries should be unchanged.

The City Commissioners and members of the Planning Commission will hold a meeting Wednesday morning at 10 o'clock at which time the extension plans will be discussed and definite announcement as to future action will probably be announced.

Charles N. Malone, representing Kenilworth; Major Kitchin, of Biltmore; R. R. Williams, representing residents and business men of the Southern section; Julius G. Adams, representing the Vanderbilt Estate, Grove Park Inn and Carolina Wood Products Company; Herbert Brown, of the Asheville Home Company; Mr. Stoen, of Biltmore; E. L. Gaston, of Biltmore; Walter P. Taylor, Biltmore; S. G. Bernard, Charles A. Webb, Thos. J. Harkins, Solomon Lepinsky, Dr. P. Chesborough, J. S. Chapman, P. H. Branch and Wilbur Devendorf were among those to speak.

The total of 17 to speak during the hearing, 13 expressed themselves as opposed to extending the city limits and annexing territory in which they are interested, one was undecided, either for or against, only asking for information, two advocated extensions and one favored the annexation of the specific territory which he represented.

Mayor Roberts, Commissioners Sherrill and Fitzpatrick, with Asbury G. Barnett, George Stephens, Harry L. Parker and D. Hiden were present. The session was held in the police courtroom, where the demand for seats, and Mayor Roberts stated it was the purpose of the hearing to get the views of all concerned.

Charles N. Malone, representing interested citizens in Kenilworth, stated that this section is not opposed to being included in extension plans and that a petition bearing the signatures of property owners can be obtained. In response to a request for details on the indebtedness of Kenilworth from Mr. Parker, Mr. Malone said that the bonded indebtedness is about \$75,000 and \$40,000 charged to property owners as special assessments. Water and sewer bonds amount to \$53,000 and park bonds amount to \$25,000, he said.

Mayor Kitchin, of Biltmore, stated that it was the views of those who are in Kenilworth on this matter, that Biltmore should be annexed to the City of Asheville. He stated that the bonded indebtedness of Biltmore village is \$20,000 and possibly another bond issue may be passed.

Mayor Walton declared the hearing closed.

SANFORD IS MADE JUSTICE OF THE SUPREME COURT

Succeeds Justice Pitney Who Recently Retired From the Bench.

WASHINGTON, Jan. 29.—The nomination of Judge E. T. Sanford of the Eastern and Middle Tennessee districts to be an associate justice of the Supreme Court succeeding Justice Pitney who recently retired, was confirmed, tonight by the Senate.

The action of the Senate was taken after its judiciary committee had reported the nomination favorably by unanimous vote. It is expected that Judge Sanford will dispose of certain court business which has accumulated in his district before coming to Washington. He will probably be able to be present when the Supreme Court reconvenes on February 13 at the close of the recess upon which it entered today.

With Judge Sanford, the Supreme bench will again have its maximum of nine members. A number of important cases have been awaiting a full bench for argument and these will be argued for hearings early in March.

The nomination of Judge E. T. Sanford was ordered favorably reported during the day by a unanimous vote of the Senate Judiciary committee.

The committee acted without discussion after a sub-committee which was appointed last week to make the usual inquiry into the nominee's qualifications had reported that the nomination should be recommended for confirmation.

R. A. Doughton To Succeed Colonel A. D. Watts As Commissioner of Revenue

BY THE ASSOCIATED PRESS. Raleigh, N. C., Jan. 29.—Governor Cameron Morrison received and accepted the resignation of Colonel A. D. Watts, State Commissioner of Revenue, and appointed R. A. Doughton, of Alleghany County, to succeed to the office. It was announced at the Governor's office late today.

The announcement of the resignation of Colonel Watts was made following the issuance of a warrant this afternoon by local police authorities charging him with a statutory offense, which followed a police raid upon his home.

Aside from the bare announcement that Colonel Watts had resigned and that Mr. Doughton had been appointed, no other statement was given out at the Governor's office late today. Colonel Watts' resignation was contained in a letter of only ten words, reading:

McKellar Asks Administration To Demand British Government Disavow Baldwin's Statement

Falls Nearly Four Miles In Air But Makes Safe Landing

MOUNT CLEMONS, Mich., Jan. 29.—Unconscious because of the severe cold, First Lieutenant James D. Summers, a pilot of the first pursuit group at Selfridge Field, fell from an altitude of 13,000 feet to within 400 feet of the ground here Saturday afternoon, nearly four miles, before he recovered his senses, recovered his plane and made a safe landing. Announced by the military command, the secret by aviators at Selfridge Field until late today when it was officially related.

Summers had been ordered to take part in maneuvers by Brigadier General Wm. G. Mitchell. With several other aviators he mounted to a height of 15,000 feet when the instrument on the plane registered 20 degrees below zero.

Summers was half-conscious when other aviators took him to the hospital. Examining physicians announced vital nerves over both his eyes had been frozen causing temporary blindness. He practically had recovered today, it was announced.

AWARD CONTRACT FOR COMPLETION HOSPITAL WING

Accept Bids Aggregating \$103,863 for Completing Building.

Bids aggregating \$103,863 for completion of the new wing of the Mission Hospital were accepted by the building committee at a meeting yesterday, and the wing will be completed within four to six months after which the frame building will probably be torn away.

L. L. Merchant was the lowest bidder for erecting partitions, plastering, interior work, including trim, doors and plumbing, with a bid of \$77,018 and contracts will be signed today. Three Asheville contractors and two from out of town submitted bids on these items.

The elevator contract was awarded to the Southern Ferro Concrete Company by a machine of the push-button type, to cost \$7,245.

The new wing was started about two years ago, when the Southern Ferro Concrete Company, the successful bidder for the shell building, which cost approximately \$100,000. This work was completed last year and the work was halted due to the lack of funds.

Members of the finance committee have arranged for a loan of \$50,000 and have secured the new wing to pay all pledges that are due by May 1.

Members of the building committee are J. H. McConnell, chairman; C. G. Meminger, R. H. McDuffie, Haywood Parker, W. Vance Brown and Thomas Wadley Esaul.

MCCARTHY SPEAKS AT FORESTRY CONGRESS. MONTGOMERY, Ala., Jan. 29.—Governor W. W. Brandon delivered the welcome address to the delegates of the fifth annual Southern Forestry Congress which convened here this morning. The presentation of the forest and reforestation were stressed in the message of W. D. Tyler, president, of Dante, Va., who called the opening session to order.

The principal address of the afternoon session was that of E. F. McCarty, of Appalachian Forest Experiment Station at Asheville, N. C., who spoke on "Fire in the Appalachian Mountains."

CRITICS ARE TO HOLD KEYS TO THE REPORTS AS WITNESS FOR THE GRAND JURY

Budget Commission Made Its Report on Anticipation of Taxes.

STATE TREASURER GIVES ACTUAL CASH

Anti-Administration Forces Abandon Hopes of Order for an Inquiry.

RALEIGH, N. C., Jan. 29.—Finding in the apparently conflicting reports of the budget commission and the State Treasurer possible material for a demagogic jewel, anti-administrations were laying the ground work today to feature the fifth week of the General Assembly, in the House and one of the strongest supporters of the building measures. He is now chairman of the House Finance Committee. It is expected his appointment will be sent to the Legislature tonight for confirmation.

Such an investigation might furnish the basis for unfavorable advertising of the administration and therefore it would be highly desirable in some quarters. Just now, however, the movement seems confined to influence outside the Legislature so the possibility of the lawmakers furnishing the coveted material appears remote.

The Budget Commission reported a surplus of tax and one-half million dollars. The State Treasurer reported a current deficit of approximately one million, eight hundred thousand dollars. The Budget Commission was making up the assets of the State Treasurer was looking at the cash books as it stood on the date of his report. The hope is there without a doubt, a regular hell-balloo. And it pressure could turn the trick the General Assembly might inquire into the thing.

The Budget Commission report of the surplus, and the State Treasurer report of the deficit, are in accordance with legal opinion, there will be the surplus rather than the deficit.

In making up its report the budget commission naturally had to figure on the taxes due for 1922, but collectible in the Spring of 1923, which is within the fiscal year of 1922 for the State. In making up the treasurer's report, however, only the actual cash turned over in the Spring report could be listed so that balance with the budget commission's report could not be effected and would not be expected.

The budget commission's report of two and one-half million dollars surplus stands as the actual financial status of the State before "anticipated revenues" will be forthcoming with the collection of the income and other taxes for the fiscal year of 1923.

The treasurer's report makes it clear that when the taxes for 1922 are collected the deficit will have been made up but that does not figure on the surplus. It is inconceivable to me that these self-respecting, these contract-observing, these patriotic Americans of their own number to utter these uncalculated, untrue and discourteous words toward the American people and American representatives.

Continuing Senator McKellar asked: "Where is the great Ambassador Harvey? Why does he not let his voice be heard in behalf of the Government and the American people? Has he lost his voice permanently? He never seems to be on hand when something real is going on."

The Tennessee Senator's attack was the first outbreak in either House of Congress on the Baldwin statement, but rumbling of resentment had been heard in various quarters of the capitol since its publication.

Senator Kellar quoted Mr. Baldwin's statement that the "debt can be funded only on 'anticipatory' basis as can be got through Congress," and added: "Evidently, according to Mr. Baldwin, he had no trouble with the debt funding commission and the administration. It would have been all plain sailing if it had not been for what he evidently looked upon as the general Congress which he had indirectly to deal with. His indirect attacks upon the funding commission are based on his attacks upon the American people and the American Government. He virtually accused the debt funding commission of being 'putty' in his hand and that he would have no trouble in making any agreement he might have wished if he had only to deal with that commission."

Senator Kellar added that "a different note was uttered by our British friends towards the American Congress in May, 1917, when they came over here to borrow this very money in order to save the nation," and quoted the address made by Earl Ralfour, head of the British war mission, in the Senate and House.

When our British friends wanted to borrow that \$4,700,000,000 from us," he continued, "they went before both branches of the Congress, with compliments and flattery, with expressions of good will, with sentiments of esteem and respect, with gratitude, which they would never forget, and yet when pay day comes around, they send another commission over here that deals in the dark."

Then even, apparently, requested the American commission not to have anything to say about what is going on. They never came even near either branch of Congress and then the head of it goes back and tells the British people that they could have made a deal for the payment of these debts to their own liking if it had not been for the unformed and purely political Congress that held the American commission back."

The trial of Williams sets a record in court history in Columbus County. The indictment charging him with the murder of Crabb was presented to the grand jury at 11 o'clock and the trial was returned to the court at 11:30. Williams was arrested at 2:30 this afternoon and entered a plea of not guilty.

Judge N. A. Sinclair, presiding at the present session of court, appointed a jury of 12 men.

At least 1,000 of the signs will be 20 by 25 inches, of 30 gage steel with the enamel backed on the metal, assuring almost a permanent advertisement for Asheville and the Land of the Sky. The remainder of the 3,500 of the signs will be smaller and the total number will cost around \$1,000.

Members of the board last night telegraphed the Buncombe County delegation in the General Assembly, protesting against a change in the "Buncombe County road bill," which would provide for the employment of a "superintendent" to inspect the highways instead of a "licensed engineer," as in the bill originally drawn.

Twenty Germans Killed When French Fire As Protection From Violent Demonstration

Avers Nation's Income And Outgo Will Balance At End Of The Fiscal Year For First Time Since 1916

WASHINGTON, Jan. 29.—Representatives of the "government's business organization" assembled for consideration of budget problems, were told today in a message from President Harding that for the first time since the fiscal year 1918, the nation's income and outgo probably would balance at the end of the current fiscal year on June 30.

The President's message delivered by Vice President Coolidge announced that instead of a deficit of \$98,000,000 estimated at the beginning of the fiscal year the economy drive had 10 days ago forced a reduction of \$2,000,000. Mr. Harding urged a continuation of the efforts at curtailing expenditures and eliminating waste, declaring that such continued action would balance the budget as realized on June 30. Supplementing the President's plea, Brigadier-General Lord, director of the budget, called on all government workers to subordinate local, departmental or sectional requirements to the greater good of the people administering the office that "U. S." means the United States and not "us."

General Lord reported that the final estimate of expenditures in the current fiscal year, surveyed January 15, was \$3,574,554,132 while the forecast of receipts on the same day was \$3,574,554,132. This leaves, he pointed out, a deficit of slightly more than \$32,000,000 and he expressed the belief that within five months of the fiscal year ahead in which to cut away the surplus one-fifth of the amount eliminated in the excess expenditures in the first seven months of the 12-month period, the deficit could be eliminated. He passed, however, in this connection that the tireless, unremitting efforts of the President to accomplish the result must have the support of every public servant.

PARIS, Jan. 29.—Twenty Germans are reported to have been killed today when French soldiers were obliged to use their arms to protect themselves during a violent nationalist demonstration at Boppard near Rhine, says the Echo de Paris. The newspaper says it has been impossible to obtain confirmation of the report on account of interruption of communication with the Rhineland.

Council Of The League Is Back To Oldest And Most Familiar Topic On Agenda, 'Article Ten'

New Members From Small States Fail To Make Any Radical Move.

RUHR SUBJECT NOT TO BE MENTIONED

Want Suggestions From All Governments on Canadian Plan.

WASHINGTON, Jan. 29.—The problem of Europe was passed in review once again in the Senate today, when Senator McCormick, Republican, Illinois, who recently returned from a trip abroad, gave his collected sense of the conditions of European conditions, and recommended that the old world be permitted to "learn by painful failure," the error of its ways.

The Illinois Senator declared his opinions in the course of a speech on farm credits legislation, telling the Senate that although he favored the Lennox, Anderson and Norbeck bills, such measures alone should not be expected to solve the total picture of European economic influences, at home and abroad.

This was the first meeting of the council since the last assembly of the League of Nations gave the small states a majority in it and the representatives of some of the big minority states came to Paris for the session with some apprehension as to the announced aggressiveness of the new members on such important subjects among others, as the Ruhr and reparations.

Conferees between the members of the council prior to the session however, dispensed these concerns and when the assembly of the League of Nations opened in Paris, the council was in a better mood than the announced aggressiveness of the new members on such important subjects among others, as the Ruhr and reparations.

Nettles' bill on speeding passes on third reading. RALEIGH, N. C., Jan. 29.—The Nettles' anti-speeding bill passed the Senate on third reading tonight and after going back to the House for concurrence in an amendment it will become a law. The Senators jumped on it again tonight, but after extensive debating and vigorous defense by Senator Ebbs it went through on a 24 to 13 vote.

Senator Voltz, of Gaston, opened the first of the opposition to the bill tonight, declaring local legislation should not be passed that interfered or conflicted with State regulation of traffic. Senator DeLoach, of Mecklenburg, followed him with a heavy verbal bombardment which brought to the opposition the support of Senator Baggett, of Harnett, and Senator Hicks, of Granville.

The chief point of contention of the opponents was that local legislation should not be enacted governing the operation of automobile traffic as a uniform system should be worked out for the State. The Nettles' bill increases the penalty provided under State laws when the motorist exceeds 35 miles an hour.

It has run the gauntlet and Funchome apparently will get the special legislation but from the opposition it has raised no further local measures have the chance of being carried out for the time being.

Representative Ray's bill to authorize the Macon County commissioners to pay a reward for wild cat scalps went through the Senate on third reading tonight and has been ordered for ratification.

Senator Hodges introduced a bill tonight making it a misdemeanor to trap bears in Counties of Avery, Mitchell and Watauga. He also introduced a bill providing a form of workmen's compensation for iron, mica and feldspar miners.

A bill introduced in the House removing the automobile license tax in Rutherford County was taken from the Senate calendar tonight upon the motion of Senator Giles. The bill had passed the House, and Senator Giles reported Rutherford County people opposed going through to continue the revenue now available under automobile license fees.

TO PREPARE PROGRAM FOR ANNUAL S. N. P. A. CHATTANOOGA, Tenn., Jan. 29.—The board of directors of the Southern Newspaper Publishers Association in session here today, appointed a committee to prepare a constructive program for the next annual convention, the date and place for which has not been fixed. Invitations for the next meeting were received from Asheville, N. C.; Lexington, Ky.; French Lick, Springs; and White Sulphur Springs, W. Va.

Without discussion, the Senate, under suspended rules, passed the anti-speeding bill, which provides for a penalty of \$50 for exceeding the limit of 35 miles per hour, and following February 1 to May 1, and following general debate, much of it against

RUHR VALLEY IS NOW RENDERED IN STATE ISOLATION

Telephone Service Badly Crippled—Rail Strike Effective.

FRENCH ARRESTING GERMAN OFFICIALS

Avers Resistance Would Have Followed Moratorium Scheme.

PARIS, Jan. 29.—Twenty Germans are reported to have been killed today when French soldiers were obliged to use their arms to protect themselves during a violent nationalist demonstration at Boppard near Rhine, says the Echo de Paris. The newspaper says it has been impossible to obtain confirmation of the report on account of interruption of communication with the Rhineland.

It is asserted the demonstration originated through the arrest of the burgomaster of Boppard.

The Ruhr Valley is virtually isolated and communication for the most part is cut off and a censorship has been established. Berlin was cut off of touch with Essen and other Rhineland points after 5 o'clock Monday evening.

The French authorities are engaged in the systematic arrest and expulsion of German officials, state and municipal, in the Ruhr. Orders, a number of papers in the occupied territory have been suspended by order of the Rhineland high commission for brief periods for the publication of prejudicial articles.

The British parliamentary labor party wants parliament convoked earlier than February 13 so that the situation arising out of the Ruhr may be given full consideration.

Premier Poincare announced that the Ruhr troops will remain in the Ruhr until reparations are paid but announced that the Ruhr form a compact unit in their determination to resist French encroachments, and under no circumstances will they give in.

The council of the League of Nations, which is holding sessions at Paris, will take no part in the Ruhr controversy beyond assisting in a settlement if requested by the interested powers.

RIGOROUS PROCEDURE BY FRENCH AND BELGIANS. BERLIN, Jan. 29.—(By the Associated Press.)—The French and Belgian advisers from Essen this afternoon indicate rigorous procedure on the part of the French and Belgians throughout the occupied zone, where wholesale arrests of German officials, state and municipal, are promptly followed by strikes in a number of the governmental services. The carrying of telephone and postal cables at Essen was ordered in a letter as a protest against the arrest of six

EXTREME TIME FOR PAYING 1922 TAXES WITHOUT PENALTY

Want Appropriation for "Tick Eradication" in the State.

RALEIGH, N. C., Jan. 29.—Bill of state-wide application introduced tonight by Senator Johnson, of the Second District "to provide for tick eradication in North Carolina," and carrying an appropriation of \$80,000 a year for three years to augment \$30,000 yearly from a Federal fund.

Senator Sams, of Forsyth, introduced a bill which would require the registration of facts about the registration of the date of maturity and other data concerning all county, township, school districts, municipality or special tax district bonds issued with the last auditor.

From Senator D. A. McDonald, of Moore County, comes a measure introduced tonight which would provide for the taxation of a purchaser of real estate's equity not only in property for which he paid part cash and part notes secured by mortgage. The vendor would be fixed on the face value of his mortgage and the mortgage so taking up an appropriation of \$50,000 a year for three years to augment \$30,000 yearly from a Federal fund.

By request, Senator Chas. W. Harris, of Wake County, introduced the bill sponsored, according to the introducer, by the National Reform League of New York and the Russell Sage Foundation, "to regulate loans of more than \$300" which would limit total charges on such loans, including interest, to 3 1/2 per cent.

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