

KERR-SMITH TOBACCO ACT HELD UNCONSTITUTIONAL

\$113,661,384 Allotted For April Relief As Work Bill Gets Going

ARMING OF AUSTRIA URGED BY MUSSOLINI AS PARLEY IS ENDED

Danubian Conference Is Now Proposed as Means of Assuring Austrian Independence

WILL PROBABLY BE ROME NEXT MONTH

Wide Range of Subjects Discussed at Final Session, Featured by Mussolini's Speech in Austria's Behalf; Britain Hosts at Luncheon Affair

Stresa, Italy, April 13.—(AP)—The historic Stresa conference came to an end here this evening.

Stresa, Italy, April 13.—(AP)—Premier Mussolini pleaded for an armed Austria at closing sessions of the Stresa conference today and the three nations represented agreed upon a Danubian conference to find a way of guaranteeing Austria's independence, with Germany, Italy and France present.

It was virtually decided to hold the conference next month probably May 20, at Rome.

With this as the immediate outcome of the tri-power conferences here, observers saw the possibility of a further general European conference to seal the peace of Europe, now that Germany has agreed to enter a non-aggression pact.

A British spokesman, referring to the proposed Danubian parley, said: "Such a conference is almost certain, probably at Rome in May."

The discussion here, interrupted by a luncheon given by the British to the French and Italian delegations, will close this evening, but the conferees will have a last meeting tomorrow to draw up a final communique on their talks as a whole.

"A wide range of subjects," was the only official description of what the premiers discussed this morning.

The feature of this morning's session was a long speech by Mussolini.

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RELIEF WORKER IS KILLED BY A TRAIN

Lexington, April 13.—(AP)—John Henry Wood, 31, a Federal relief worker, was found dead beside the Southern Railway tracks here early today and a coroner's jury returned a verdict of death by being hit by a train.

JOHN S. STANBURY, 73, IS DEAD AT BOONE

Greensboro, April 13.—(AP)—John S. Stanbury, 73, prominent resident of Boone, died at his home there this morning after an extended period of illness.

New England Cotton Mills Are Closing

Boston, Mass., April 13.—(AP)—The closing of three New England textile mills employing 3,810 workers was announced today while governors and congressional representatives at Washington appealed to the President for relief of the industry in this section.

F. D. R. Urges Speed



Secretary of the Interior Harold Ickes is shown leaving the White House in Washington where he was urged by President Roosevelt to speed up his part in the directing of the \$4,880,000,000 work-relief fund into channels where the greatest employment will result.

School Book Rentals Bill About Ready

Raleigh, April 13.—A concrete proposal for the establishment of a textbook rental system for the public schools of the State is expected to be brought to the floor of the House of Representatives next week as a result of the appointment of a special subcommittee to study and redraft, if necessary the Cherry textbook rental bill.

Cherry's Textbook Measure Appears Most Favorable Proposition Now.

The Cherry bill would set up a State Textbook Rental Commission to administer the act, if passed. The commission would be composed of seven members. Serving as ex-officio members would be the State superintendent of public instruction and the State director of purchases and contracts. The remaining five would be appointed by the governor, two of the members to be school people, the other three business people. The framing of

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WEATHER FOR NORTH CAROLINA. Partly cloudy, probably light frost in west portion tonight; Sunday fair, with slowly rising temperature.

In Prison Torture



Woodrow Wilson Shropshire Blaming loss of his feet on cruelty at a North Carolina prison camp, Woodrow Wilson Shropshire, Negro convict, is pictured as he testified at an inquiry in Charlotte. Shropshire and another convict lost their feet, it was charged, as a result of being chained up for days in cold "dark cells." Their feet froze. The men had been convicted of minor offenses.

SENATE PROBABLY LATER TO REMOVE SALES EXEMPTION

Upper House Likely to Back-track on Action It Took At Its Friday Session

BUDGET FAR OUT OF BALANCE RIGHT NOW

Antis and Two Percenters Seized on Exemptions as Face-Saver to Square Themselves With Back Homers After Sensing Defeat in the Senate.

Raleigh, April 13.—The exemptions which the Senate put back into the sales tax section of the revenue bill Friday afternoon by the close vote of 22 to 21 as the only attainment of the anti-sales tax forces and the "two percenters" will probably be removed from the bill before it passes third reading, according to most opinion here today both among members of the Senate and outsiders.

Filling Station Tax Is Cut By Vote Of Senate

Refuses, However, To Eliminate Levy Entirely; Senate Fails To Compete Revenue Bill, and Cannot Pass It on First Reading Before Next Monday

Raleigh, April 13.—(AP)—The Senate today lowered the rate of the proposed tax on chain filling stations in the biennial revenue bill, but rejected an amendment by Senator Johnson, of Duplin, to eliminate the new levy in its entirety.

GRADE CROSSINGS AND CCC WILL GET BOOST FROM FUND

300,000 CCC Men To Be Recruited at Once Under President's Plan for Speeding Up

SOCIAL BILL WILL PASS COMING WEEK

Saturday Session of House Held To Blow off Steam in Inevitable Debate; Efforts Continue Toward Averting Rubber Strike; Gasoline Quota Is Fixed

Washington, April 13.—(AP)—The government set aside \$113,661,384 for April's jobless burden today as administration officials pressed developments of the \$4,000,000 program for shifting from direct to work relief.

Harry L. Hopkins, the relief administrator, allotted the money, covering every State except Georgia.

But what new steps in the work drive would next be added to plans for boosting the Civilian Conservation Corps by 300,000 and eliminating railroad grade crossings was of major interest to the capital.

The House held a Saturday meeting to consume more of the long hours of the debate which must precede the amendment stage of the social security bill.

Its passage in some form was foreseen some time next week, but not until further tests of the Townsend old age pension plan.

The senate was in recess today. Other capital activities.

As negotiations continued on the threatened strike in the rubber in-

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MCDONALD OFFERS TWO SCHOOL BILLS

Supplemental Taxes Would Be Arranged for in His New Proposals.

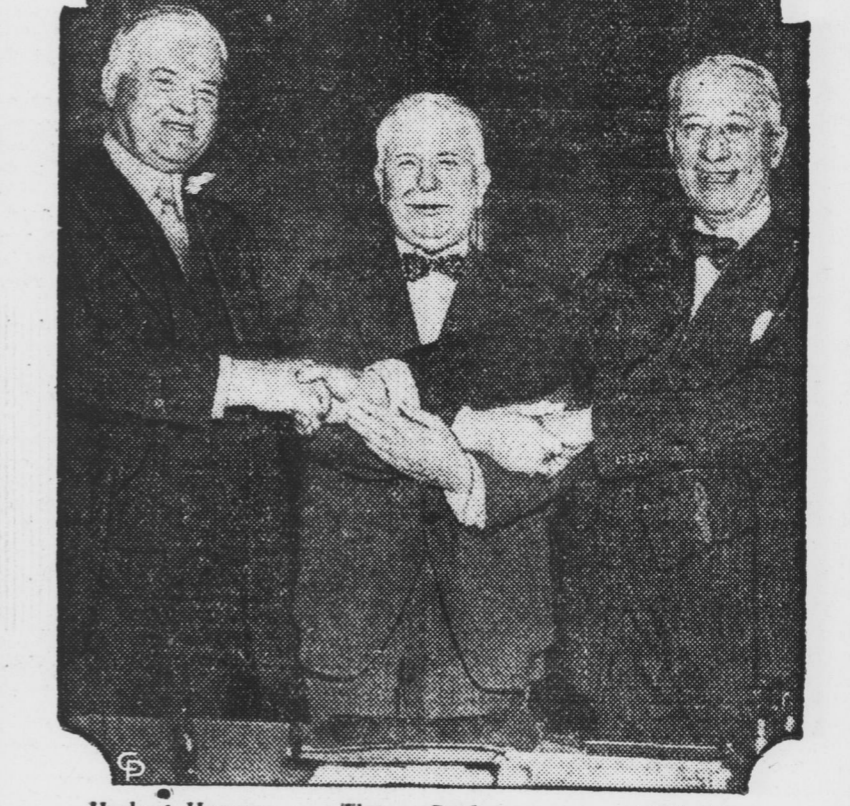
Raleigh, April 13.—Following up his interest in the public schools, Dr. Ralph McDonald, co-leader of the House anti-sales tax bloc, has introduced two bills which, if passed, permit increases in the public school funds.

The first bill, an amendment to the school machinery act, would provide that county and city school boards shall use for school purposes only moneys received from fines, forfeitures, penalties, dog and poll taxes.

The moneys would be used under the supervision of the State school commission. The McDonald bill provide that such funds shall be used for school purposes, and be allotted to the following purposes in the order named: General control, instructional ser-

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RIVALS YESTERDAY—PALS TODAY



Herbert Hoover Thomas Buckner Al Smith With bitter political differences E. Smith pose for the cameramen like old pals, in New York City. Between them is Thomas Buckner, president of the New York Life Insurance Co., of which both Hoover and Smith are directors.

NRA Probe To End With Testimony From Johnson

After That, Senate Finance Committee Will Draw Bill Extending NRA Two Years

FARMERS PROTEST DISPARITY OF AAA

Too Much Spread Between Their Control Act and NRA Regulations of Business, Grange Spokesman Says; Want Monopolistic Trends To Be Abolished

Washington, April 13.—(AP)—Chairman Harrison announced today the Senate Finance Committee would close its NRA investigation next Thursday with testimony by Hugh S. Johnson, its former administrator.

After closing the hearing, the committee will proceed to put into final form the bill for extending the recovery unit for another two years.

Already negotiations were underway behind the scenes with senators such as Borah, of Idaho, who have demanded full restoration of the anti-trust laws.

Harrison's announcement was made after farmers, speaking through the National Grange, protested the Senate Finance Committee today that recovery had been retarded by a disparity

NEWMAN, GRIFFIN SAVED SALES TAX

Told Senate Levy Essential If Schools Are to Run Next Two Years

Raleigh, April 13.—Why did the effort to remove the sales tax from the revenue bill fail and get only 10 of the 50 votes in the senate? Why was it that only 13 senators voted for the amendment to reduce the sales tax rate to two per cent, while 31 voted to keep it at three per cent? Why was it that the amendment to restore the exemption of basic food articles to the bill carried by a majority of only one vote, with 22 voting for it and 21 against it?

The answer to all these questions is that Senator Harris Newman of New Hanover county, chairman of the finance committee, Senator Lloyd Griffin of Chowan, Senator Carl Bailey of Washington and several oth-

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FEDERAL JUDGE AT LOUISVILLE HOLDS CONTROL ILLEGAL

First Test of Tobacco Act In Any Court Goes Against It In Ruling In Kentucky

TAXES IMPOUNDED ORDERED RETURNED

Must Go Back to Penn Brothers, of Fayette County, Kentucky, Who Brought Test Suit; Scathing Attack Upon Measure Written by U. S. Judge

Louisville, Ky., April 13.—(AP)—Federal Judge Charles I. Dawson today held unconstitutional the Kerr-Smith tobacco production act.

He acted in the suit of the Penn brothers, Fayette county growers, to enjoin United States District Attorney Mack Swinford and Internal Revenue Collector Seldon R. Glenn from enforcing the law.

The tax was the first test of the law in any court.

Holding a temporary injunction was unnecessary, Dawson ordered \$7,000 in taxes impounded pending the litigation returned to the Penns.

The law imposes a tax on 25 percent of the sale price of the 1934 crop on all tobacco grown without contract with the secretary of agriculture, and 33 1-3 percent on the uncontracted portion of the 1935 crop.

Last year the government collected \$3,000,000 in Kerr-Smith taxes, half of which came from Kentucky.

"It is impossible for any one who has any respect for constitutional limitations to contemplate this law with complacency," Judge Dawson wrote.

"It is the plainest kind of an attempt to accomplish an unconstitutional purpose by the pretended exercise of constitutional powers. The garment used to hide the naked unconstitutionality of the act was fabricated from the taxation and commerce clauses of the Constitution; but neither congressional recitations of purpose, declaration of policy nor the

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Old CWA Is Relief Basis Now Planned

And That Was Greatest Fizzle There Ever Was, Senator McCarran Declares

Washington, April 13 (AP)—Senator McCarran, Democrat, Nevada, said today he understood the "old CWA plan" was going to be followed in the government's \$4,000,000,000 work drive.

"I understand they are going to go on the old Civil Works Administration plan," he said. "The CWA was the greatest fizzle there ever was. They fight just as well slush out the money."

McCarran was the leader of one of the hottest fights over the works bill in the Senate. He led the attempt to make it mandatory to pay relief workers the same hourly wage rates received by employees in private industry.

His efforts were opposed by administration advocates of a \$50-a-month security wage. The result was a compromise providing that wage rates prevailing in private industry should be paid workers on permanent public buildings erected with relief money.

\$1,390,325 Relief To State in April

Washington, April 13.—(AP)—Harry L. Hopkins, relief administrator, today allotted \$1,390,325 for April relief. Of this amount, \$1,390,325 will go to North Carolina. The April total compared with \$1,392,936,226 for March.

COTTON CONSUMED SHOWS SHARP DROP

March Well Under That Month in 1934; Exports Also Show Decline

Washington, April 13 (AP)—Cotton today by the Census Bureau to have consumed during March was reported to total 418,135 bales of lint, and 66,754 bales of linters, compared with 478,291 of lint and 62,850 of linters for February this year, and 544,870 of lint and 733,483 of linters for March last year.

Cotton imports during March totaled 9,917 bales, compared with 8,137 during February this year, and 18,865 during March last year.

Exports of cotton during March totaled 317,798 bales of lint and 18,287 bales of linters, compared with 390,294 and 16,161 for February this year, and 550,104 and 17,092 for March last year.

Cotton spindles active during March numbered 24,571,314 compared with 24,925,168 during February this year, and 26,526,454 during March last year.

COUNTY ATTORNEY OF HOKE IS DEAD

J. W. Currie, 53, Found Dead in Bed By Family; Was Prominently Connected in State

Raefford, April 13 (AP)—J. W. Currie, 53, county attorney of Hoke for 15 years, was found dead in bed this morning, obviously the victim of a heart attack. He is survived by his wife and two children.