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HENDERSON, N. C., WEDNESDAY AFTERNOON, MAY 1, 1946

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EXCEPT SUNDAY

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New Trial Ordered For Dr. Gardner

Was Convicted
In Buncombe On
Abortion Charge

Raleigh, May 1.—(AP)—The State Supreme Court today ordered a new trial for Dr. G. D. Gardner, convicted in Buncombe County of manslaughter in an alleged attempt at criminal abortion.

He was sentenced by Judge A. Bowles Sims to from three to ten years in state prison.

In the opinion, Associate Justice A. A. F. Seawell directed attention to the admission in evidence "of the new accounts of the defendant's arrest and incidental circumstances contained in the Asheville Times and Asheville Citizen, in the issue of April 30, 1945."

Witnesses testified they had read accounts of the case in these newspapers. The articles in the Times and Citizen were introduced in entirety over the objections of the defendants.

Neither Condition Prevailed.

The justice wrote that, "If the state had succeeded in laying an exact basis for the evidence so that the statements of witnesses and news stories could be sufficiently correlated for the purpose of contradiction and impeachment, and if the news accounts had been free from prejudice, the evidence might have been either admissible or harmless; but it does not clearly appear that either of these conditions actually prevailed."

The state argues here that the defendant already had admitted the main facts of his history contained in the news articles—his conviction of crime and service in the Atlanta Federal Penitentiary, loss of his license to practice as a physician and other damaging facts.

"But we have the impression that there were other statements in newsmen which were not free from prejudice, and that a summary contained might have affected the results in a way not contemplated in their introduction and so have fallen under the ban of second hand evidence of the events recorded."

Vault With Many Valuable Jewels Found In Egypt

Cairo, Egypt, May 1.—A French archaeological, delving into the mystery of the tomb of King Thutmose I, who ruled Egypt 3,000 years ago, the other day uncovered a veritable vaultful of jewels. The discovery is hailed by Prof. Léonide Dritton, director of the Egyptian Antiquities Department, as one of the most valuable and significant since the discovery of King Tut's tomb.

Beside the mummy of the King was that of his bodyguard, a general who appeared to have been a man of extraordinary size for ancient Egypt, over 6 feet in height.

Among the objects found were 12 necklaces, pendants, bracelets and scarabs, the latter in perfectly matched cool emeralds. The general had worn the gold chains about his neck, indicating his rank. Beside him were a white gold flower-shaped chalice and statuettes of Egyptian gods, including one of the golden Hathor, almost 6 inches high and in solid gold.

The discovery, which is the first of importance in Egypt since archaeological excavations were resumed after the war, was made in the region of Tansis, in Sharqia Province in the northeast corner of the Nile Delta, near Port Said, by Prof. Pierre Montet of Strasbourg University, who was assisted by his wife and three daughters.

Cumberland Grand Jury Returns True Bill Against Ewing

Fayetteville, May 1.—(AP)—The Cumberland County grand jury returned a true bill yesterday afternoon charging Wall C. Ewing, former radio station operator and political leader, with first degree murder in connection with the death of his wife March 13.

Ewing has been held in jail without bond since a coroner's jury held an inquest into the death of Mrs. Douglas Southernland Ewing after an autopsy indicated she had died of an intracranial hemorrhage.

Mrs. Ewing died in a local hospital several hours after she was taken there from her home in an unconscious condition. The autopsy report said her body showed numerous bruises.

CITY EMPLOYEES VOTED PAY HIKE

Charlotte, May 1.—(AP)—Charlotte's City Council today voted a 15 per cent pay increase to city employees beginning July 1. The increase brings to approximately 40 per cent the total municipal salary increases approved in the past five years.

Checks on Wheat



Clark Raps 'Monopolies By Builders'

Attorney General
Says Contractors
Desire More Profit

Atlanta, May 1.—(AP)—Secretary General tent Clark charged today that "many of those who demand the removal of controls over the building and related industry—especially in the name of competition—in fact desire privately monopoly to realize that great industry."

Clark named no names in making his charge before the 34th annual convention of the United States Chamber of Commerce. The board of directors of the Chamber on Monday approved a resolution calling for convention consideration a resolution, likewise in general terms, expressing opposition to the Federal minimum construction program and favoring removal of restrictions on private construction.

Meanwhile, in an unrelated action, the 53-man directorate of the Chamber voted to accept a proposal which would have placed their organization on record for outright repeal of the Wagner Labor Relations Act.

Backers of the repeal proposal, however, may raise it again on the convention floor.

Did Not Elaborate.

The attorney general did not elaborate on his construction monopoly charge, except to say:

"If these loud lobbyists are successful, we shall have turned our housing program over to groups of monopolists whose private regulatory system is designed to insure profits for themselves."

Clark said the government itself had contributed to a "trend away from competitive capitalism" through wartime necessity.

"As we abandon war-time Government controls over industry," he said, "we must be certain we are not surrendering control to private monopolists... the government intends to follow the course that will encourage the restoration of free competition and strengthen independent enterprise."

Stalin Asks Strong Army For Country

Premier Warns Against Forces Of 'Reaction'

London, May 1.—(AP)—Generalissimo Joseph Stalin warned Russians celebrating their May Day holiday today against forces of "international reaction" which he said are "hatching plans of a new war," and strengthening of the so-called "reactionary forces" to guard the peace.

"The armed forces of the Soviet Union—the land troops, air forces and navy—discharged their duty to the country in the great patriotic war," he declared, "an order of the day broadcast today by the Moscow radio and recorded in London.

"Now our armed forces are faced with a task of no less importance—to guard the peace which was won and the constructive labor of the Soviet people, to be the reliable bulwark of the interests of the Soviet Union.

"The successful accomplishment of this honorable task is possible only on conditions of further growth of military and military skill of the officers and men of our army, our navy and our aviation."

Stocks Are Mixed In Gotham Market

New York, May 1.—(AP)—Stocks were mixed in selective dealings in today's market as spoty character reacted to news of a spoty character.

Ahead most of the day were General Motors, Chrysler, Goodrich, U. S. Rubber, Southern Railway, Southern Pacific, American Telephone, Electric Power and Light, Texas Co., and Northern Pacific. Standard Oil (N. J.) was firm on the extra dividend declaration.

New York Cotton

New York, May 1.—(AP)—Cotton futures opened 10 cents a bale higher to 35 cents lower.

Noon prices were five to 40 cents a bale lower, May 27-30, July 27-62, October 27-62.

Pv.	Close	Open
May	27.60	27.62
July	27.65	27.62
Oct.	27.67	27.63
Dec.	27.63	27.64
Mar.	27.73	27.68
May (1947)	27.70	27.61

POULTRY STUDY GROUP.

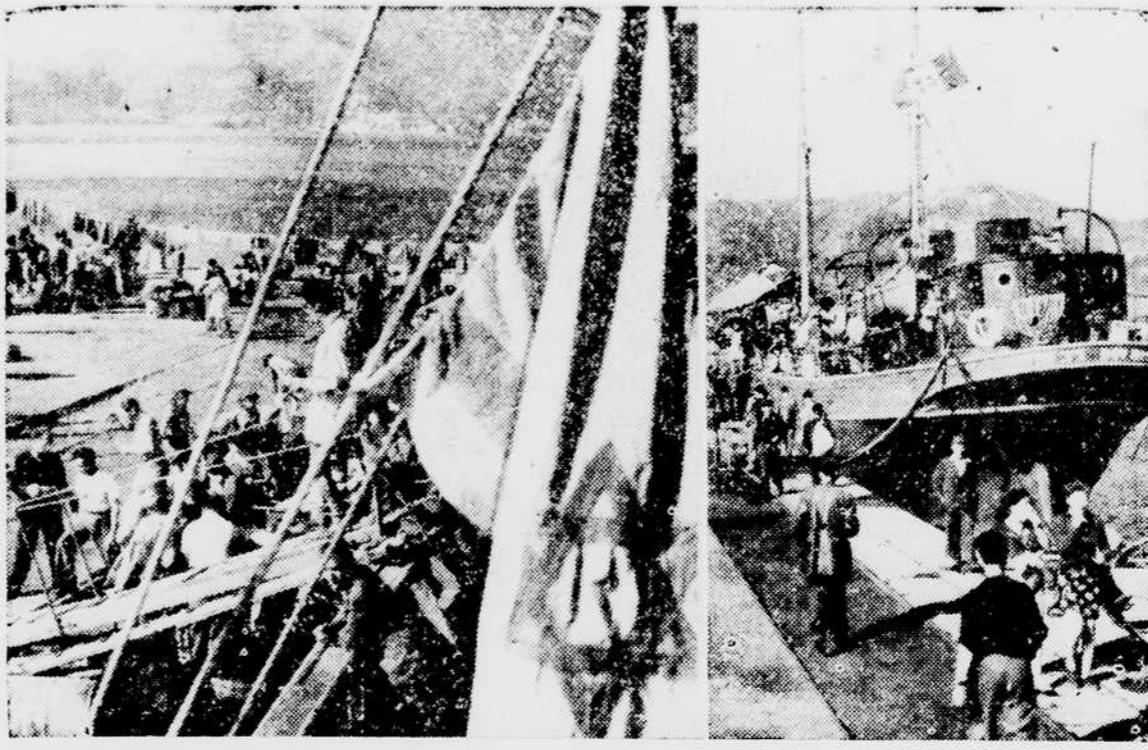
College Station, Raleigh, May 1.—The progress made by North Carolina poultry breeders has received national recognition in the appointment of H. Bernard Holmes, M. C., record-of-performance poultry breeders to a nine-man national commission detailed to study the control of outbreaks diseases in poultry shipped interstate.

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Byrnes, Molotov Clash Over Question Of Italy's Future

DETERMINED TO ENTER THE 'PROMISED LAND'



DETERMINED TO "BLOW UP THE SHIP AND THEMSELVES" if barred from proceeding to Palestine, 1,100 Jews aboard a schooner at La Spezia, Italy, were finally given permission by Great Britain to continue their voyage to the "promised land." At left, the refugees from many parts of war-torn Europe use the ship as a home. The dock became a place of recreation, sunbathing and for the hanging out of wash. Right, is the schooner flying the Italian flag, although none of the refugees could speak Italian. (International)

Report On Palestine Is Protested

Qualified Packing Is Given By Jews; Arabs Dislike It

Washington, May 1.—(AP)—The explosive-packed demand that 100,000 persecuted Jews be admitted to Palestine at once tickled away ominously today in Britain's docket.

In dropping it there, the official Anglo-American Committee on Palestine held at the same time that the strife-torn Holy Land might become neither a "Jewish state nor an Arab state."

Immediate reaction to the committee's proposal for the British mandate ranged from qualified Jewish approval of the emergency immigration plan to a blistering indictment from Arab leaders.

In Jerusalem, where there long have been repeated outbreaks of bloody violence, the Arab office said the report would intensify this strife and drive the entire Middle East to the bosom of Soviet Russia.

The Arab statement termed the recommendation "high treason" and a grave betrayal of justice.

In London, the Jewish agency for Palestine pleaded cooperation with the plan to admit 100,000 Jews now but protested that the document left untouched the central problem of stateless Jews in Europe.

The number of these has been placed by Jewish spokesman at more than 1,000,000.

Mediator Might Quit Coal Talks

In Good Company

Senator Brooks told his colleagues he was "in good company" in op-

Brooks Raps British Loan As A 'World-Wide WPA'

To Britain Would Harm U. S. Living Senator From Illinois Says Credit

Washington, May 1.—(AP)—Senator Brooks of Illinois announced to the Senate today he would vote against the \$2,750,000,000 British loan, terming it a "world-wide WPA project" that will lower our American standards of living."

The Illinois senator, a veteran of World War I, declared in a speech that he expected to be called "anti-British."

"I am not pro-British," he said. "I am pro-American, and I am proud of it."

Brooks' criticism of the loan legislation came as opponents planned a parliamentary move which they hoped might sweep the loan legislation out of the Senate without a vote on the bill itself.

In Good Company

Senator Brooks told his colleagues he was "in good company" in op-

posing the loan and said these had the same views:

"Jessie Jones, who loaned more money than any individual in history, Leo Crowley, able administrator of the Export-Import Bank, and Mr. (Bernard) Baruch, advisor to

the Senate, all oppose the loan."

"I do not question the right of the Russian people to live under and support their communistic form of government," Brooks concluded. "I do not question the right of the British people to adopt and sustain a socialist form of government, but I do question the right of those entrusted to sustain our representative form of government to dissipate the resources of the American people to support communistic and socialist systems abroad while weakening our representative government at home."

Democrats Gather For Convention

Washington, May 1.—(AP)—The proposed big four-year agreement to keep Germany impotent for war aimed Senate inquiry today about how long American troops are expected to remain in Europe and what future is planned for the German people.

The proposal, advanced by Secretary of State James Byrnes at the Paris conference of foreign ministers, met generally favorable reaction, although Senator Wheeler (D) of Montana said he doubted substantial American forces can be kept in Germany for 25 years.

"However," he told a reporter, "if we believe Russia's fears of aggression on the part of Germany to the extent that the Soviets will withdraw their troops and permit independent government to be set up in the Baltic and Balkan states, it would mean a great lot for world peace."

He said he was in "entire sympathy" with the idea that Germany should be prevented from ever again attaining a war-making potential, but called it "assumption" to suggest that the people of Germany be kept in an abject state of poverty and servitude."

Adoption of the party's platform may lead to debate, since it generally was reported here that an attempt would be made to insert a dry plank.

Leaders today predicted that the convention would be generally calm and devoid of much debate. No paramount issue is slated to come before the meeting.

Liquor Makers Ordered To Cut Use Of Grains

Washington, May 1.—(AP)—The nation's whisky makers slashed their production schedules 40 per cent today in line with the government's newest efforts to scrape up grain for famine relief.

It was the sharpest reduction imposed on the industry since peacetime distilling was partially resumed, but it coincided with a fresh official warning that the present world food crisis will continue into 1947.

Austrian Plea For Return Of Tyrol Vetoed

Paris, May 1.—(AP)—Russian Foreign Minister V. M. Molotov and U. S. Secretary of State James Byrnes clashed on the question of the future Allied control of Italy today as the foreign ministers council turned thumbs down on Austria's plea for return of the southern Tyrol by Italy.

A qualified conference source said the Russian minister sharply opposed Byrnes' proposal for a single general commission to supervise the carrying out of the Italian treaty provisions on the ground that it would be an infringement of Italian sovereignty.

Byrnes was said to have reported that it was no more of an infringement than the treaty itself.

Soviet Policy Reversed.

Molotov reversed the Soviet policy followed at last September's council meeting at which the Russians voted with their colleagues to set up only military control commissions.

At this morning's session, which he presided, Molotov came out in favor of no commission at all.

The ministers were discussing the last of 11 points of disagreement over the Italian treaty.

The ministers decided to hold their next meeting tomorrow morning and to cancel a session this afternoon. Their deputies will meet this afternoon to set an agenda.

Minor Points.

A conference source said both sessions tomorrow probably would be devoted to attempts to clear up minor points of difference on the Italian treaty.

In considering the Austrian-Italian border question, the deputies decided that the Austrian request for return of the south Tyrol, ceded to Italy after the first world war, was a major frontier reversion when the council had declined against last September.

The question arose at the meeting of the ministers yesterday whether the request was a major or minor border change and the matter was handed over to the deputies.

Price Hike Doesn't Affect Single Pack Sales of Cigarettes

Raleigh, May 1.—The increase in cigarette prices does not affect over-the-counter sales of single packages, the OPA pointed out today, adding that the half-a-cent boost per pack is effective only on over-counter sales of two packs or more.

These retail price increases result from increased granted cigarette manufacturers because of rising production costs, OPA said.

Retail prices on the "economy" brands—Avlonals, Marvels, Twenty Grands and Wings—now ceiling prices at 15¢, a package, two packs for 25¢, are increased to a straight 15¢ per pack, OPA said, adding that state taxes are not included in setting cigarette ceilings.

"Popular" brands—including Camels, Chesterfields, Lucky Strike, Rarleighs and all other cigarettes not specifically named—retain present ceilings on single-pack over-counter sales, but the price jump applies on sales of two packs or more. OPA pointed out, for example, a dealer selling these brands at 16¢ per pack, two packs for 30¢ or 31¢, will still retain the 16¢ single-pack price, but may increase his two-pack price by one cent, the agency explained.