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CONSOLIDATION GETS HARD BLOW

Supreme Court Reverses Wayne and Bladen Cases; Clears Up The Law

RALEIGH, April 26.—Consolidation took more punishment from the Supreme court today than it has received from all sources since it became an educational policy to place schools on the earth and run trucks to fill them.

Twice today the court nullifies district elections and starts the district business anew. The two appeals coming from Wayne and Bladen counties happen to violate the same principle of law laid down in the legislation creating these consolidated districts. It is local self-government vigorously applied. In each instance the enterprise failed because territory circumscribed included people who had not voted any tax on themselves and the court voids the whole business.

There is nothing revolutionary in today's decisions; rather will the effect be otherwise. The school law is in confusion. The courts are seeking to disentangle themselves. The consolidation plan which is sweeping the state will be arrested only where the law is loose. In the Wayne and Bladen cases the sentiment was strong enough for the bigger and better school. In the Wayne case an agreed state of facts brought the litigation to the highest court. The election was nullified. In the Bladen controversy the injunction was applied. Judge Walker writing the Wayne opinion reverses the findings of the lower court and Judge Stacy laying down the law for Bladen says the court should have granted the permanent restraining order.

The effect of the court's opinion today, however, is not to nullify the acts themselves. The decisions show plainly that so far from being radical statutes, these plainly prohibit the method of consolidation employed in these two districts. Judge Walker rests his opinion on the invalidity of the election which grew out of the insufficient compliance with the written law.

The facts in the Wayne school election are simple. Pikesville township, a portion of Stoney Creek included in Mt. Carmel district and that portion of Buck Swamp township included in Pleasant Grove district, sought to establish at Pikesville a standard high school. A tax of 30 cents was needed.

Prior to this move Pikesville had voted a special tax. In December, 1919, Mt. Carmel did the same thing. But the new territory taken in had never voted any tax. But it was agreed that there should be no restraining order and that the case should come to court in October. There were other elements in this agreement, but these are the vital facts. October 22 the case was heard and Judge Cranmer decided it against the plaintiffs, the election having been held without restraint and pronounced valid.

The strength of the plaintiffs contention is that the election was not held in accordance with the law, but in contravention of two complete statutes relating to special school tax districts and that the effect of the election would have been the abolition of three existing special school districts within the territory of the proposed district. It was further contended that the election violated the provision that elections shall not be held oftener than once biennially. Mt. Carmel and Pleasant Grove having held such elections within two years. Not only does the poll abolish these two districts, but it makes Pikesville take tribute of Mt. Carmel and Pleasant Grove, and does it without allowing those outside the original Pikesville district an opportunity to vote separately on the proposition whether they shall be added to the Pikesville district or not, as prescribed in section 5,530 of the consolidated statutes.

The Bladen case has much the same facts. Council, Carver's Creek, and Boggy Branch until consolidation nearly a year ago, three continuous and adjacent districts. In 1905 Council voted 30 cents on property and 90 on polls. In 1920 another election raised it to 50 and \$1.50. In 1917 a school bond election of 15

MR. ASHLEY POWELL SHOT BY THURSTON BREEDLOVE

Early Wednesday morning about six o'clock Mr. Ashley Powell, of the Sanders Chapel section, was shot two times by Mr. Thurston Breedlove, both balls passing through and out of his body. Mr. Breedlove, we are told, worked on the farm with Mr. Powell, and as they were hitching up a team Wednesday morning, Mr. Powell suggested that Mr. Breedlove's work had not been satisfactory and that he must change his way of doing. After a few words, Breedlove whipped out a pistol and fired at him two times. One ball grazed the body of Mr. Powell and passed through the muscle of his right arm. The other ball passed through the thigh, Breedlove made for the woods. Mr. Powell came to Smithfield and had his wounds dressed by a physician.

Government Operation and Accidents

According to the statistics of the Interstate Commerce Commission, the year 1919, when the Government was operating the railroads, was the best up to that time in their history, so far as fatality accidents were concerned. Only 6,978 persons, including employees, trespassers and passengers, were killed, as against 9,286 in the previous year and 11,839 in 1907, which held the record for casualties. Since then the railroads have been doing fine work in reducing accidents, and last year only about 6000 persons, including 205 passengers, were killed. If it were not for reckless automobilists, who have a curious weakness for disputing grade crossings with moving trains, the showing would be far better. If the drivers of motor cars took as great precautions as the railroads to avoid accidents the record would be wonderfully improved. — Philadelphia Record.

Murphy-Barber.

A quiet but pretty wedding was that at the home of Mr. T. D. Barber on North Main street Saturday night when Mr. J. H. Barber, of Salisbury, and Miss Mary Murphy, of Smithfield, were united in marriage. As the wedding march was being played by Miss Frances Barber, the bride, accompanied by Miss Otelia Barber, and the groom accompanied by Mr. C. B. Poplin, entered the room where the ceremony was performed by Rev. A. C. Tippet, pastor of North Main M. E. church, South.

The bride is the daughter of Mr. and Mrs. Dolsy Murphy, of Smithfield, N. C., and is a young woman of charming personality. She has, by her lovely disposition, endeared herself to a large number of friends. Mr. Barber has made his home in Salisbury for several years, and is holding a responsible position with the Southern railway at the transfer sheds. He is a most excellent man, and has, by his genial disposition, won a large circle of friends. Mr. and Mrs. Barber will make their home with Mr. and Mrs. T. D. Barber on North Main street.—Taken from a Salisbury paper.

A mistake, when discovered, always looks stupid.—Dunn Dispatch.

Cents on property and 45 on the head was held in old Council, Carver's Creek and Boggy Branch, being somewhat in the mire educationally, had never voted a tax. June 6, 1921, the board of education consolidated the three districts and an election with 30 cts. on the \$100 property and 90 on the poll was ordered. It was carried. The Carver's Creek and Boggy Branch folks were swept in. The court adverts to the fact that the Creekers and Branchers were still against the levy "now sought to be enjoined."

This is all that allied the election. The outsiders were taken in against their will. And in the Bladen case the vote has the effect of allowing one set of electors to vote off a portion of the tax now against them and to vote it on to electors who had not hitherto placed any burden on themselves.

Wherefore the court clears up sections 5,530 and 5,526, the latter governing the creation of original districts.—W. T. Bost, in Greensboro News.

A LETTER FROM WILSON'S MILLS

Dr. Brewer of Meredith College Delivers Group Commencement Address

WILSON'S MILLS, April 26.—Mr. Carl K. Parrish made a business trip to Raleigh Wednesday.

Mrs. Lelia Williamson, of Louisville, is a guest of Mrs. A. O. Holt.

Lloyd Chapman of Grifton visited friends here during the week end. Mr. and Mrs. L. C. Davis of Micro, were guests of relatives here on Friday.

Mrs. Herbert Benton and children, Annie May and Herbert Jr., of Spencer, have been visiting Mrs. P. H. Massey for several days.

Visitors to Smithfield on Thursday afternoon were: Misses Mamie Moore, May McIntosh, Myra Nixon, Helen Dickson, Evelyn Wilson, Lottie Wilson; Mesdames D. O. Uzzle, H. N. Wilson, Carl K. Parrish; Messrs J. A. Wilson, D. O. Uzzle, and Joe Parrish.

Misses Margaret Wilson, Nellie Wellons and Sadie Puckett, of Smithfield, were guests of Mrs. W. G. Wilson during the week end.

The following attended the group commencement at Polenta on Saturday: Mr. and Mrs. S. L. Barbour, Miss Mable Barbour, Mrs. E. E. Parrish, Miss Mamie Moore, Messrs Wilson Uzzle and Robt. Uzzle.

Leonard Massey, of Clayton spent the week end with his parents, Mr. and Mrs. P. H. Massey.

On Friday Misses Myra Nixon, Helen Dickson, Lottie Wilson, Messrs Noah Wilson and Otha Ellis attended the Selma vs. A. C. C., of Wilson, ball game at Selma.

John Turley of Clayton, was in town on Monday.

Mrs. W. M. Sanders and Miss Minnie Lee Garrison, of Smithfield were visitors here Tuesday.

Mrs. J. A. Wilson, Mrs. Harry Wilson, Miss Evelyn Wilson and Mr. J. A. Wilson spent Monday afternoon in Clayton.

Misses Lillie Parrish and Viola Todd, of Goldsboro spent Sunday here.

J. H. Atkinson and Miss Helen Atkinson recently visited friends here.

Messrs Walter Pett, Oza Cole, of Goldsboro and Joseph Cole of Clayton were recent guests of friends here.

Dr. Brewer, president Meredith College, Raleigh, delivered a forceful address at the group commencement exercises at the Wilson's Mills school on last Friday. The subject of education from the standpoint of meaning and far reaching effect was one of vital interest to the large audience. The people of this community will always be glad to welcome Dr. Brewer in their midst.

Miss Carrie Bell Youngblood was the efficient leader of the Christian Endeavor organization on Sunday evening. The program follows:

Subject: Difficulties.

Scripture: Leader.

Prayer: Mr. D. O. Uzzle.

Difficulties that interfere with church work: Mr. W. T. Wilson.

How to face a difficulty: Mr. D. O. Uzzle.

Poem—Miss Ida May Youngblood.

Christian Endeavor Prayer.

Pershing Coming to State in May.

WASHINGTON, April 26.—General Pershing is to be a visitor to North Carolina in May. He has accepted an invitation to attend the celebration of May 20, Mecklenburg Declaration of Independence Day at Charlotte, and will be accompanied by his aide, Major Marshall. The Charlotte celebration will be under the direction of the American Legion post there.—Edward E. Britton, in News & Observer.

Methodist Church.

"The Unfolding Life" is the topic to be presented by members of the M. E. Sunday School Sunday morning at the 11 o'clock hour. It is the annual Sunday School Day program, and a talk appropriate to the occasion will be made. The offering will be used for needy Sunday Schools.

There will be no service at the evening hour on account of the revival services being held at the Baptist church.

NEWS FROM THE CAPITAL BANNER

Union Service of All The Churches to be Held; McNeil Book Club

BENSON, April 26.—Mr. Elton Neighbors, of Kenly, visited friends here Sunday.

Mr. E. S. White spent Sunday in Raleigh.

Misses Ruth Poindexter and Pattie Hunter spent Friday night in Greenville.

Miss Ruby Hobbs has returned from a visit to friends in Four Oaks. Messrs M. T. Britt and Carroll Morgan are attending the Bankers' Convention at Pinehurst this week.

Mrs. Rowland Covington, of Laurinburg returned to her home Saturday after visiting her sister, Mrs. J. R. Barbour for a few days.

Mr. and Mrs. Hubert Barbour, of Four Oaks attended the exercises of the graduating class Tuesday night.

Dr. and Mrs. W. T. Martin were guests of friends in Smithfield Sunday.

Mr. H. A. Parker, president of the Citizens Bank & Trust Co., left Tuesday afternoon for Pinehurst where he will attend the State Banker's Convention.

Misses Mary Turlington and Churchill spent Sunday in Siler City with friends.

Rev. A. T. Lassiter and Mr. Preston Woodall attended the meeting of Fayetteville Presbytery, which was held in Red Springs last week.

Mr. and Mrs. Donald Kanoy and Rev. and Mrs. E. M. Hall visited in Raleigh Monday.

Mr. William Woodall visited his sister, Miss Clara Woodall, who is a student at Peace Institute, Raleigh, Saturday and Sunday. While there he attended the annual reception given by the students of the college.

Misses Vermelle High and Minnie Love Stevens, who have taught here this year, left for their homes Saturday.

Mrs. A. S. Oliver was hostess to the John Chas. McNeil Book Club Thursday afternoon at 3:30 o'clock.

The program topic was "Oscar Wilde, Social Satirist." Mrs. Lassiter's paper, a discussion of Wilde as a Dramatist gave description of his personality, outlined his plays and depicted phases of English society. Mrs. O. A. Barbour led in the discussion of "Lady Windermere's Fan" which proved very entertaining. After the program the hostess distributed papers for a "key" contest. After the fun of working out these questions was over the hostess assisted by Mrs. W. H. Royal and Mrs. J. R. Barbour served a delightful salad course with coffee followed by cream and angel cake.

Unique Easter favors added to the attractiveness of the plates.

Those besides club members enjoying Mrs. Oliver's hospitality were Mesdames W. H. Royal, D. W. Kanoy, W. T. Martin, and Rowland Carlington of Laurinburg.

Union Service Sunday, April 30.

There will be union services for all the churches of the town held in the Presbyterian church Sunday, April 30, at 7:30 o'clock. Rev. E. M. Hall of the Methodist church will preach the sermon. Members of the choir are invited to be present and take part in the song services. This is the beginning of union services which are to be held here during the spring and summer in preparation for a series of evangelistic union services. A cordial invitation is extended to one and all to attend this service.

Woman's Auxiliary Hold Meeting.

The Woman's Auxiliary of Benson Presbyterian church held its regular meeting Tuesday afternoon, April 25 in the church. The subject for the meeting was Africa. Several interesting papers describing the mission stations, and work being done in the Belgian Congo were read by members of Auxiliary.

A business meeting followed which was presided over by the president. Several plans were discussed for the work of the year.

Death of a Child.

On Monday morning, April 24, the Death Angel visited the home of Mr. and Mrs. Birchel Barefoot and took from them their infant child.

All was done by loving hands and medical skill that could be done. But

HUGE WAR PAINTING COMING TO AMERICA

PARIS, April 23.—The Pantheon de la Guerre, the huge panoramic painting of the war, which has been housed in a special building here since soon after the armistice, is soon to be taken to America for exhibition.

The gigantic canvas, 402 long and 48 feet high, was painted by 50 French artists, under the direction of Pierre-Carrier Belleuse, under the patronage of the French government. It contains 6,000 life size portraits of allied heroes, including Gen. Pershing and Major-Gen. O'Ryan, as well as of the leading political figures of the war period—former President Wilson, former Premier Clemenceau, Prime Minister Lloyd George and others. In the background is portrayed the battle front from Calais to Verdun.

Myron T. Herrick, the American Ambassador, viewed the mammoth painting today and congratulated M. Belleuse on this work of art, intended as a lasting memorial to the world war heroes.—Associated Press.

A Prisoner of Science.

CHICAGO, April 25.—Science, taking upon itself the triple role of judge, jury and jailer, has sentenced Mrs. Jennie Barmore to life imprisonment!

Mrs. Barmore is guilty of no crime but she must isolate herself in her cottage. She must remain alone. She can prepare food for no one but herself.

Because science says Mrs. Barmore is a typhoid carrier!

She is not herself a sufferer from typhoid. But scientists say that coursing in her blood stream are myriads of the dread germs that cause typhoid.

They say she might transmit this malady to others if any contact with the outside world were allowed.

Her case is one of the most unusual on record. It marks the first attempt by local health boards to use their broad police powers in isolating any one who might endanger the health of the community.

What Official Says.

Here is the final pronouncement on the case by Herman Bundensen, health official:

"Mrs. Barmore will be locked up permanently if she refuses to stop handling food and does not sterilize her hands.

"Meanwhile she can come and go under these provisions with due inspection of health officers. We could lock her up permanently but we do not wish to be severe."

But even this small degree of freedom is only theoretical and means nothing, Mrs. Barmore says: "For when I venture forth, people flee from me. Even my closest friends shun me. I intend to stay indoors—make myself a voluntary prisoner until I die."

Mrs. Barmore lost her last attempt at unrestricted freedom when the Illinois supreme court denied a petition for rehearing in a long fight to secure a writ of habeas corpus which would remove Mrs. Barmore from jurisdiction of Chicago health authorities.

"Rather Be Dead."

"I reared two children and sent them forth into the world as happy, normal human beings," Mrs. Barmore says sadly. "Neither child contracted typhoid nor did my husband."

"Yet here I am a prisoner in my own house, permitted to go outside only like a convict freeing from his cell."

"My friends and relatives shun me like one accursed. I should rather be dead."

Mrs. Barmore's case has aroused widespread dissension in medical circles. Some physicians hold there's no such thing as a typhoid carrier.

But while the scientific fight rages, its central figure remains in her cottage alone, unable to entertain friends, and fearing to leave her shelter because very appearance strikes terror in the hearts of those she loves.—Roy Gibbons, in Charlotte Observer.

God saw best to take it home to be with Him.

The remains were laid to rest in the cemetery at Grove Presbyterian Church.

MORE THAN 50 LOSE LIVES IN FLOODS

Property Loss Estimated at Over \$1,000,000; Think Levee Dynamited

FORT WORTH, Texas, April 26.—Continued reported dead missing in the flood that has gripped Fort Worth for two days, tonight had brought the list to 59. A check is not yet possible and verification of the unofficial reports are held up while the flooded areas are scoured by rescuers. Three bodies have been recovered.

The list of injured remained at 29, according to reports from the hospitals. The property loss is estimated at \$1,000,000.

The levee board will investigate the reported dynamiting of the embankments in several places Monday night as soon as the flood waters recede, according to M. L. McCain, board chairman.

Board members, he said, did not believe that the water could have torn the holes in the levees which were pronounced in excellent condition recently.

Action looking to the prevention of future flooding of the city's utilities plants probably will be taken after the flood recedes, Mayor E. R. Cockrell stated tonight. Water service was made available today when the flood water which put the plant out of commission yesterday was pumped out by the fire department.

The latest report of the river stage was 36 feet, but recession since this afternoon was expected to bring it down rapidly. All railroads reported improved conditions today and operation on schedules is expected by tomorrow night.

BREAK OCCURS IN LEVEE

ON LOWER MISSISSIPPI

NEW ORLEANS, April 26.—A section of the Mississippi river levee four miles north of Ferriday, Louisiana, in Concordia parish, went out at 4 o'clock this afternoon and tonight is flooding that parish and eventually will spread into parts of four other parishes. Catahoula is one of the richest farming sections of Louisiana and it is certain that the loss will reach into hundreds of thousands of dollars.

The break occurred without warning and tonight had widened to 200 feet. Several important towns are in the immediate path of the flood waters. No loss of life had been reported.

Three hundred men with flood fighting equipment were rushed today to Marrero, on the west bank of the Mississippi river, opposite New Orleans, and after a hard fight, prevented what seriously threatened to be the first break in the embankments in the vicinity of this city. The levee at that point is comparatively narrow and has been under the constant surveillance of engineers. Serious trouble began to develop there last night when a crack appeared in the earthworks and a cave-in appeared imminent today. Engineers declared late today that the situation was under control. A break at this point would have flooded several towns.

Strawberry Short Cake (Biscuit).

Mash 1 qt. berries, sweeten; let stand for 1½ hours. Into a pint of flour sift 1 teaspoon baking powder and ½ teaspoon salt. Chop into this 1 tablespoon butter. Add enough milk to make a soft dough. Turn this upon a floured board, roll lightly into 2 biscuits as large as a pie plate. Put into a greased pan one on top the other and bake in a quick oven. When done, separate quickly, spread with butter, then thickly with the mashed berries, put together again, pour the remaining mashed berries over the entire cake and serve either hot or cold.—Progressive Farmer.

D. G. S. Girls Meet.

Mrs. Clifton Beasley delightfully entertained the D. G. S. Girls last evening. Rook and other games were enjoyed. Delicious refreshments were served during the evening.

"Rich people are just poor people with money."