

WEATHER

Partly cloudy Tuesday and Wednesday possibly occasional showers, Wednesday and in extreme north showers.

THE GOLDSBORO NEWS

READ IN THE MORNING WHILE MINDS ARE FRESH—READ BY BUYERS BEFORE THEY BUY.

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GOLDSBORO, N. C. MONDAY MORNING, APRIL 9, 1929.

PRICE FIVE CENTS

BRUMMITT GIVES RULING ON SCHOOL MEASURE

MAKES REPLY TO QUERY SENT BY DR. A. T. ALLEN

Says Teachers Salaries of Special Tax Districts Unaffected by Bill

CITES SECTION TO PROVE HIS POSITION

Is Of Opinion That Number of Teachers in Special Tax Districts Optional

RALEIGH, April 8.—(AP)—In the first opinion of an official nature on the 1929 school act passed by the recent legislature, Attorney General Dennis G. Brummitt held that the act did not place a limitation on teachers salaries or additional teachers in special tax districts or extended term schools as it did in the six months school term.

His interpretation of sections of the bill was given in a letter sent today to Dr. A. T. Allen, in which he answered specific questions asked him by the state superintendent of public instruction to aid county superintendents in preparation of the May budgets.

Attorney General Brummitt discussed the act in executive session with the state equalization board but today's statement was his first extended public one.

The school act was deprecated by the state teachers association in its sessions here recently and has been widely discussed. Dr. Allen told the state association that at that time he was unable to understand the application of certain sections.

The attorney general said "that it may be thought" that the construction of the bill would limit the number of teachers in the special tax districts as provided in the county budget for the six months school term, but "I have reached the conclusion that this construction of the act was not intended by the general assembly."

"These taxes have been voted by the people of the respective districts. If they so desire they may vote them off with the exception of such as may be necessary to pay the principle and interest on any indebtedness."

The interpretation of the act in this respect, the attorney general said, hinged around section 13 which is as follows: "That all the provisions of this act, including the determination of the number of pupils per teacher in elementary and high schools, and including the salary schedule of teachers in the six months school term, shall be applicable as nearly as may be to any additional school term beyond the six months term which may be provided and maintained by the several counties of the state or by any special tax district in any counties."

The War in Mexico

SAN ANTONIO, Texas, April 8.—(AP)—A squadron of cavalry at Fort Bliss at El Paso late today was ordered by Major General Lassiter, U. S. A., 8th corps area commander to proceed immediately to Hachita, N. M. The movement was described as a protective measure.

Hachita is a small railroad town in the southwestern corner of New Mexico about 10 miles north of the United States-Mexican border. It is some 110 miles west of El Paso.

NOGALES, Sonora, April 8.—(AP)—General Francisco Manzo, commanding a rebel army on the western coast of Mexico has been released by General J. G. Escobar, commander in chief of the revolutionary armies, who will arrive here tomorrow by plane from the state of Chihuahua. It was reported at rebel headquarters today. The report said Escobar would direct a drive down the coast.

EINSTEIN SILENT

BERLIN, April 8.—(AP)—Prof. Albert Einstein, today said Cardinal O'Connell's assertion that his theories of space and time had behind them the "grasping apparition of Atheism" left him cold and uninterested. He said he was wholly disinclined to enter into a controversy with the Cardinal.

Gulley Will Case Is Called In Wayne Co. Superior Court

CAVEATORS CLAIM LATE MRS. IDA GULLEY INCOMPETENT TO MAKE WILL—JAMES GULLEY GOES ON STAND TO SUPPORT THAT CONTENTION

Wayne superior court convened here yesterday morning for a two weeks civil term with Judge H. A. Grady, of Clinton, presiding. There are 118 cases docketed for trial during the present term, with a number of divorce actions still to be placed on available dates. Few important cases appear on the docket for the term, the most important being the Gulley will case, which was stated to get under way yesterday morning.

The greater part of the morning session was taken up with the empanelling of a jury. A number who were called for jury duty asked to be excused on the grounds that their crops needed their full attention during the unusually hot weather prevailing. The selection of a jury was completed about 11 o'clock and the trial of the case got under way.

Attorneys for the propounders, de-

tending the will of the late Ida Gulley, proved the execution of the disputed will by introducing on the stand the testimony of Judge J. C. Clifford, of Dunn, who wrote the will and was one of the witnesses of the document. Two other signers, L. R. Reardon and J. O. Warren, were placed on the stand by the propounder's attorneys, who then rested.

The caveators offered James K. Gulley, local man, who was on the stand during the greater part of the afternoon session. Mr. Gulley, as one of the caveators attempting to break the will of his mother, testified to various acts tending to indicate the mental incapacity of Mrs. Gulley, at the time she made the will. He testified that in his opinion she was mentally unsound at the time the will was written.

Giving instances tending to show

PLAN BUDGETS FOR NEW YEAR

Superintendents and Boards of Education of Five Counties Gather Here

Superintendents of instruction, and county boards of education of Wayne and four adjoining counties met with a representative of the State Department of Education here yesterday morning to confer on the matter of budgets for the coming school year in the light of the Hancock School Bill passed by the recent assembly. J. L. Hathcock, of the State Department of Education, brought figures showing state averages for certain school costs which must be considered in making up the new budgets. Mr. Hathcock presented the facts that the superintendents and boards of education might compare their counties to the state as a whole.

Yesterday's meeting was called by Dr. A. T. Allen, state superintendent of public instruction, was held in the Memorial Community Building and there were about twenty-five in attendance.

The following superintendents were in attendance: Lenoir county, E. E. Sams; Greene county, H. G. Robertson; Duplin county, B. C. Sisk; Sampson county, D. V. Carter and Wayne county, J. T. Jerome.

BROADCAST OPENER

NEW YORK, April 8.—(AP)—The Columbia Broadcasting system announced today it would broadcast the ceremonies at Washington on April 16, when President Hoover throws out the first ball at the opening game of the American league season there.

5 CENT CAR FARE

WASHINGTON, April 8.—(AP)—The Interborough Rapid Transit company of New York today was prohibited by the supreme court from increasing to seven cents its present five cent fare.

With Primary Wednesday, Little Interest Manifest

Wednesday is the date for the Democratic primary for the nomination of a mayor and nine aldermen. Had almost forgotten about it, hadn't you? So had we. What with the red line in the thermometer climbing so high that it was very uncomfortable and what with the baseball getting so close at hand. Anyway Wednesday is the day.

While the primary in Goldsboro is equal to election, the normal election will not be held until May 5. Registration books for both the primary and election were opened on Saturday and will remain open until 7 p. m. on Saturday, May 4. Registrars reported yesterday that they had few calls to exercise their duties, and very little interest was being manifested in the streets.

There are only two contests in the primary. These are in the second and the fourth wards, and the second ward battle was expected to prove the more interesting. In this ward two members of the present board are seeking to re-enter their places and three new-

POISSON SPEAKS BEFORE KIWANIS

Lieutenant Governor of Fourth District Discusses Objects of Kiwanis

Louis J. Poisson of Wilmington, lieutenant governor of the 4th district of Kiwanis International, was the speaker before the Goldsboro Kiwanis Club here last evening.

Discussing the objects of Kiwanis, Mr. Poisson said that first of all the objects of Kiwanis were the objects of the city in which the club operated. The Wilmington man praised the Goldsboro organization for adopting as its principal project of the year the sponsoring of the Goldsboro Chamber of Commerce.

That its members live the golden rule was cited as another object of the association, and lastly he stressed the value of friendships made in Kiwanis.

Attendance prizes were won by Charles B. Miller and O. M. Brendle and the oral boost was given by H. V. Modlin, who brought figures as to the assets of the Branch Bank and Trust company.

NEGRO PAROLED

RALEIGH, April 8.—(AP)—Gov. O. Max Gardner today announced the parole of Dave Connor, negro, sent up from Lee county in 1927 to serve 12 years in the state prison for house-breaking. The governor said he had strong letters from the trial judge, the trial solicitor and the owners of the house broken into recommending that Connor be paroled.

SUPPRESS REDS

BUCHAREST, Rumania, April 8.—(AP)—The Rumanian government decided henceforth to suppress mercenaryally all communist organizations throughout Rumania and to forbid by law their agitation and propaganda in open meetings.

Free Man Held On Charge of Murder

LOS ANGELES, April 8.—Sydney Earlich, who was arrested this afternoon in connection with the finding of a girl's torso on the Los Angeles river bank near Compton last Thursday was released late today after questioning by police.

Detectives said they believed Earlich had no connection with the case.

BOMB WAS "SCARE" AFFAIR

NEW YORK, April 8.—(AP)—A bomb found in a parcel post package addressed to Governor Franklin D. Roosevelt contained only black powder instead of dynamite and was merely of the variety known as a "scare bomb" bomb squad detectives announced today.

Fremont Girl In Style Show



These six young women students of St. Mary's School at Raleigh will be in the textile style show at North Carolina State College school of textile engineering on Thursday afternoon of this week. The dresses they are to wear were made by themselves from goods designed and woven by the State students.

The girls are, left to right, front row: Misses Florence Frezell of Raleigh; Sarah Trenholm of Georgetown, S. C.; Margaret Anderson, Cheraw, S. C. Back row: Misses Betsy Lee of Fremont; Carolyn Tucker, Raleigh, and Florence Gilbert, Elmira, N. Y.

Say American Plane Bombed Tiny Village

TEGUCIGALPA, Honduras, April 8.—(AP)—American airplanes from Managua, Nicaragua, which bombed suspected rebel camps along the border were reported today to have also bombed the town of Las Limas in Honduras. The town was almost destroyed by the fire which followed. Local citizens are much agitated and authorities are investigating.

LABOR'S SIDE TARIFF CITED

American Federation of Labor Presents Its Plan to President Hoover

WASHINGTON, April 8.—(AP)—The tariff needs of the working man as interpreted by the American Federation of Labor were laid before president Hoover today in the form of a specific program sponsored by that organization.

His 71-Yr.-old Wife

TERRELL, Texas, April 8.—(AP)—The Rev. J. F. Roberts retired Baptist minister was held here today on charges of killing his wife. Mrs. Roberts 71, was found dead at the Roberts home with her head crushed by an axe. Neighbors said the minister had acted in a peculiar manner recently.

"CORK" FAILED

JACKSONVILLE, Fla., April 8.—(AP)—Norris Kellam, 300 pound self-styled "human cork" today failed by one hour of equalling the world's endurance swimming record of 72 hours and 22 minutes when he collapsed in a bathing pool here. He entered the water at 9:55 a. m. last Friday.

Fracture of Vertebrae Of Neck Fatal to Luby Epps

Luby Epps, 28, died at 8:35 yesterday morning at the home of his parents, Mr. and Mrs. J. C. Epps of B-L East, of a broken neck sustained when he jumped or fell into a shallow stream, Sunday morning, March 24. Doctors considered his case remarkable in that he lived for fourteen days with two broken vertebrae in the neck.

Funeral service will be held from the home at Belfast at 10 o'clock this morning and will be in charge of Rev. Jerry Howell and Rev. E. A. Killet. Burial will be made in the Pate graveyard at Stoney Creek church.

Mr. Epps is survived by his parents, his widow, who was before marriage Miss Maggie Taylor of Wilson county, one son, Charles, aged 4, and several brothers and sisters.

The brothers are J. E. Epps of Turkey, T. C. Epps of Lucania, Fyony Epps of Mt. Olive, M. C. Epps of Goldsboro, and Clifton Epps of Belfast. The sisters are: Mrs. J. T. Lane of Sampson county, Mrs. Joe Best of Rocky Mount, Mrs. Viola Sykes of

Renew Effort to Have Uncle Sam to Return Old Cotton Tax

To Start White Way Construction Soon

Work on Goldsboro's projected new whiteway down the middle of Center street will probably begin sometime the latter part of this week or the first of next week. It was learned yesterday. City Manager Zeno Hollowell told The News last evening that he understood H. F. Lee, manager of the local Carolina Power and Light company office, is expecting the equipment to arrive in the city sometime this week. As soon as the equipment arrives, the construction of the whiteway will be begun, it was said.

INSISTS THAT HEARING GO ON

Attorney for Rum-Ship Crew Says His Clients Are to be Discharged

NEW ORLEANS, April 8.—(AP)—Council for Captain John Thomas Randall, skipper of the ill-fated British rum schooner 'In Alone' will insist upon preliminary hearing tomorrow for Randall and his crew of seven, Edwin H. Grace, the captain's attorney said today. The hearing was continued a week ago.

"We had nothing to fear from continuances," Grace said "But the expense of holding Captain Randall and his crew is substantial and should not be borne further simply to delay the certain outcome that the men will be freed of what was after all only a holding charge."

The schooner was sunk by the coast guard boat Dexter in the gulf of Mexico last month with its liquor cargo and charges of conspiracy to violate the prohibition law were placed against the crew.

MRS. INMAN ON WITNESS STAND

Denies She Was Principal in Mann Act Case When 17 Years Old

RENO, Nev., April 8.—(AP)—Under cross examination in the divorce suit brought by her husband Walter P. Inman of New York, Mrs. Helen Inman today was questioned about her connection with a Mann act case in 1914 when she was 17 years old.

Mrs. Inman was asked if she knew Emma Jentler, a department of justice agent and she was then permitted to tell her story of the affair. She said she was merely a witness in the case which involved another girl and a man. She admitted that she was detained at the Florence Crittenden home in New York as a witness but declared she was not involved in the case.

Over \$2,500,000 Was Paid by Tar Heels in Direct Taxes After Civil War

(Special to The News) RALEIGH, April 8.—North Carolina, along with other states, will have to wait until the extra session of Congress, to be called by President Hoover, to take further steps looking toward the return of \$2,500,000 paid by citizens of this state in direct taxes to the Federal Government on cotton during the years 1866, 1867 and 1868, according to information received at the office of Attorney General D. G. Brummitt yesterday.

The bill passed the Senate and was heard by the House Committee, but did not reach a vote in the House. The bill will be re-introduced at the extra session, according to a telegram from Burton Smith, brother of former Governor Hoke Smith, of Georgia, who has been retained by several states to look after their interests in the bill. His statement was in reply to a telegram from Frank Nash, assistant attorney general who wanted to know the status of the bill. He had been informed by an official of another state that the bill passed.

The Federal records show that \$2,500,000 was paid in direct taxes by residents of North Carolina during the three years. In other cases, the Supreme Court has held that direct taxes have been collected unlawfully and have been returned. The bill in this case would grant states to sue the United States for the amount of such taxes paid, or "to submit to the Supreme Court of the United States the question of the constitutionality of the direct taxes collected" during the three years.

The N. C. Assembly of 1921 gave the governor authority to sue on behalf of a state to recover the state's claim, if a fee not to exceed 10 per cent of any amount actually received. The bill, if said would be taken by the State and held in claimants who are able to satisfy the Direct Tax Commission, composed of the Governor, Treasurer and Auditor that their claims are not any uncollectible funds. After this amount would be paid in the State Treasurer the limit for other claims would be set at ten years.

Winston Winston and Brasfield, Raleigh law firm, was employed by Governor Morrison to prosecute North Carolina's claim, this firm associating with it Burton Smith to handle the Washington end. Fully 100 people, residents or former residents, have notified the law firm that they will present claims. Tax receipts or other conclusive evidence will be required of claimants, if the bill is enacted and the amount refunded.

ARE FINED FOR STARTING FIRES

Three Negroes Through Carelessness Let Flames Spread to Forests

Three negro tenants of as many townships in the county were yesterday fined with the costs for having let fire to forests through carelessness in putting out spring fires. This is the first time in the history of the county that such a conviction has been secured, according to county forest warden Ham of Pikeville.

The convicted men are Pete Walker of Pikeville township, Joe Smith of Stoney Creek township and John Stedman of New Hope township. They entered a plea of guilty when arraigned before Esq. W. G. Britt and were taxed with the costs.

Walker of the Pikeville section was burning off a low ground Saturday afternoon and allowed the fire to get beyond his control. Before it was again under control it had done damage estimated at \$1,000, destroying about 60 cords of wood, a quantity of tobacco sticks and a large area of second growth timber.

F. L. Hooker of New Bern, district warden, came to Goldsboro yesterday to aid in the prosecution of the negroes. Mr. Ham said late yesterday that he regretted to make arrests in cases like the above, but that if it took such work to stop careless destruction of forests he intended to do so.