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Livest Newspaper In The Carolinas

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LABOR CONTROL MEASURES PLANNED

Smith And Ferguson To Be Brought To Trial Next Month

State Will Not Delay Because Of Carl Vann

Heavy Fines In Other Two Cases

By TOM WATKINS
Charlotte News Staff Writer

Dick Smith and George Ferguson, alleged directors of Charlotte's lottery racket, will be tried during the Jan. 6 term of criminal Superior Court irrespective of the presence of Carl Vann, a missing important State's witness, it was announced today by Solicitor Basil Whitener.

At the same time Judge W. H. S. Burgwyn this morning slapped fines totaling $7,500 on Jimmy Helms and Mrs. Mary Bell Holden, convicted minor lottery participants, in lieu of previously imposed prison sentences.

And in so doing, the jurist provided severe penalties that become immediately effective if within five years either of the defendants engages in lottery activities, or violates other laws.

TO PROCEED

The disappearance of Carl Vann, whose testimony in City Police Court was largely responsible for the conviction of Smith and Ferguson, and other lesser lights, will not prevent the State from proceeding with the trial, the Solicitor said.

But if the State can successfully lay its hands upon Vann he will be hauled into court on the strength of a capias issued last week by Judge Burgwyn.

The Solicitor admitted that prosecution would be handicapped by recent developments, but that the State had no intention of dropping the case against Smith and Ferguson just because "Vann ran out."

When court convened this morning Judge Burgwyn called Mrs. Holden and Helms to the bar and stated that because of doubtful legal point raised during their trial in Superior Court that he thought it advisable — and Solicitor Whitener concurred — to change the prison sentences of eight months and twelve months, respectively, to heavy fines.

He said he was mindful of the fact that the fines likely would not be paid by the defendants themselves, but by the "higher-ups", but that the money would go into the school fund where it could be used advantageously.

The fact that the warrant upon which the defendants were arrested had not been sworn to by agents of the State Bureau of Investigation, raised a legal complication.

"Had this been an air tight case," Judge Burgwyn said, "I would feel disposed to increase the sentences of the lower court, and allow no fine at all. But in view of all the circumstances I feel it advisable to order fines."

Consequently he ordered Mrs. Holden to pay a fine of $2,500, provided she be placed under a suspended sentence for five years, that she not associate with Jimmy Helms, Dick Smith or George Ferguson, or any other person allegedly connected with the lottery

See LOTTERY on page 11-A

Refused To Call Doctor

Couple Free In Death Of Youngster

EASTON, Pa.—(AP)—A 55-year-old farmer and his wife were freed today after pleading guilty to involuntary manslaughter in the death of their two-year-old youngster.

The couple, members of a faith healing sect, told Northampton County Criminal Court they refused medical aid for Edwin James Focht because "God is a great surgeon."

Judge William A. Frack yesterday fined William Focht $55 and imposed a suspended sentence of nine to eighteen months imprisonment on him. He released his wife, Ada, 46, without sentence.

Chief County Detective John Trout told the court the couple refused to summon doctors after the youngster—one of ten children—fell into a tub of scalding water last Sept. 13. He said they told him their religion did not recognize medical aid.

Dr. D. F. Bachman, county coroner, said the boy, who died a day later, had a 60 per cent chance of survival if he had received prompt medical attention.

Invest In A Share Of Christmas

The Empty Stocking Fund

The steady ringing of cash registers and the steady stream of shoppers in the streets are two evidences that Charlotte will have one of the biggest and best Christmases in years. But the fact remains that there are some people who will not unless they receive help.

There's the Smith family, for instance.

Four years ago, Mr. Smith was in a terrible accident. As a result, he lost the use of both hands and arms. There was little that he could do, even for himself.

His wife couldn't get a job either. There was no one who wanted to hire an arrested tubercular patient. And she had more than she could do at home anyway. Besides the care of her husband, there were the three children, only one of whom had reached school age.

This family receives aid from a social agency here and a small amount of social insurance. But the amount of financial aid is figured on a minimum basis. The funds provided barely cover the necessities.

And the Smiths not only need some extras. They need the comforting thought of knowing that some one cares enough about them to lend a helping hand.

You have the opportunity of being the one to do this. Send your contribution to The News Empty Stocking Fund today.

Others are doing just that. Charlotte's first citizen, Mayor Herbert H. Baxter, sent his contribution and a letter today. Mayor Baxter said, "The good work that you and your people have done for the less fortunate around Christmas time has helped many people and has helped provide the proper atmosphere that we all love at Christmas time.

"With the support you have from our people I know that this fine gesture of yours will continue to be a successful annual Santa Claus to those who deserve it."

Send your contribution to The Charlotte News Empty Stocking Fund.

Amount previously acknowledged	$1,806.50
H. H. Baxter	25.00
Wm. H. Bobbitt	5.00
Charlotte Nursing Home	5.00
Mrs. Nina Cornwell	2.00
Lincolnton, N. C.	
Friend No. 8	5.00
Concord, N. C.	
S. R. Goans	5.00
Friend No. 9	5.00
Fred B. Helms	15.00
Hotel Charlotte	25.00
Grey Atkins Hunter	10.00
Mr. & Mrs. Waverly G. Jones	10.00
Mr. & Mrs. A. M. Streck	5.00
	$1,923.50

Cotton Council Convention

Hoey Warns Lint Men Of Dangers

The National Cotton Council's Carolinas convention was told here today by U. S. Senator Clyde R. Hoey of North Carolina that the South's cotton growing industry, "Once a world monopoly," is battling for its life against world competition.

Senator Hoey spoke at the luncheon in Hotel Charlotte which followed the morning business session in the Chamber of Commerce assembly room when Oscar Johnston of Scott, Miss., the Council's president, expressed "abundant confidence" that mechanized farming will bring the "greatest prosperity in history for American cotton."

The North Carolina Senator was presented by Kerr Scott of Raleigh, North Carolina Commissioner of Agriculture, who asserted that research into marketing of cotton products "is most urgent and most opportunely is provided for" in recently enacted Federal financial aid legislation.

At the beginning of his address, Senator Hoey emphasized his "deep interest" not only in Southern economics but also in agricultural matters which affect the whole nation. He added that the South "must realize that problems which affect Southern agriculture also concern the whole country." And, he continued, "things that concern our nation concern most other nations."

The North Carolina leader renewed declarations of opposition to the proposed Fair Employment Practices Bill which was defeated in the last session of the Congress. He emphasized his denials that the South is "oppressing the Negro" but, on the other hand, the South gives "Negroes more opportunities than most Northern States."

Like Mr. Johnston, Senator Hoey

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Arms Quiz Is Declined

LONDON — (AP) — Prime Minister Attlee declined today to say how far arms standardization talks between United States and British Military experts had progressed or whether the joint use of Naval and air bases by the U. S. and the British commonwealth and empire was contemplated.

Questioned along these lines in the House of Commons by leftwing Laborite Konni Zilliacus, who said there was "apprehension and rising disquiet on both sides of the Atlantic as to the present situation," the Prime Minister said:

"I do not think there is any apprehension except I gather that the question asked by Mr. Zilliacus is apt to cause apprehension in some quarters."

REFERS TO STATEMENT

Attlee referred his interrogator to Deputy Prime Minister Herbert Morrison's statement yesterday that "informal exchanges" of views were taking place between the U. S. and Britain on the question of continuing wartime standardization of weapons.

Morrison said the discussions were going on in the interests of economy and efficiency. He emphasized that no decisions had been reached.

Zilliacus said Morrison — and Attlee himself in a Nov. 18 statement—had failed to state "whether any measures are in contemplation for the standardization of training manuals, exchange of officers and joint use of Naval and Air bases by the U. S. A. and the British commonwealth and empire."

The Prime Minister said Morrison's statement set out the principles "which govern the policy of the Government." He added, however, that published statements to the effect that Canadian Prime Minister W. L. MacKenzie King recommended arms standardization were "without foundation."

Young Vandals Blamed For Schoolhouse Fire

NEW YORK — (AP) — Ten firemen were overcome by smoke and suffered injuries last night in fighting a five-alarm schoolhouse blaze which Fire Marshal Thomas Brophy said "was definitely the work of youthful vandals."

Brophy said firemen found broken desks and paper scattered about rooms on the third floor where the two-hour blaze started, and that some boys were seen running from the five-story building shortly before the fire was discovered. Brophy reported damage was heavy.

Good On Jan. 1

New Sugar Stamp To Be Made Valid

WASHINGTON— (AP) —OPA announced today that a new consumer spare ration stamp for five pounds of sugar will be made valid on Jan. 1, 1947, and will be good through April 30.

"It is anticipated," the announcement said, "that the second consumer stamp for 1947, will be made good before this stamp expires, thus increasing the present consumer ration of five pounds of sugar for each four months."

An additional ten pounds per person was allowed in 1946 for canning.

OPA also said that industrial sugar allotments for the first quarter of 1947 will remain unchanged from the last quarter of 1946.

Big 4 Talk In Moscow Scheduled

Hinges On Stand Of Molotov

By JOHN M. HIGHTOWER

NEW YORK—(AP)—With the next Big Four Foreign Ministers conference slated for Moscow March 10, western diplomats expressed hope today that Soviet Foreign Minister V. M. Molotov would quickly reverse himself and agree to get the views of small nations on Germany before the great powers start work on a German peace treaty.

In fact, if Molotov does not yield his opposition on this point by the end of the week it seems highly unlikely that the Moscow session will be held. Secretary of State James F. Byrnes told the Foreign Ministers Council meeting last night he was flatly opposed to making any German decisions until the small nations have had opportunity to express their views.

Molotov said he would think the matter over.

Meanwhile, the Council agreed to meet to clean up odds and ends of the five European satellite peace treaties which are being completed here and possibly begin consideration of an agenda for the Moscow meeting.

Generally, diplomats considered it likely that Molotov would find some way to agree to the appointment here of Deputy Big Four Foreign Ministers who would hold hearings in Europe in January and February and report to the Moscow Conference shortly after it opens.

PRESS PROMISE

In agreeing to hold the meeting in the Russia capital, Byrnes, British Foreign Secretary Ernest Bevin and French Deputy Foreign Minister Maurice Couve de Murville were assured by Molotov that news reporters from their countries would be able to report freely what happens there.

Byrnes, who had discussed this problem in private with Molotov prior to last night's session, was quoted as having told the Soviet diplomat he felt the conference in Moscow last December was not well covered because of restrictions thrown around it.

Molotov, according to persons present, told the Council the Soviet Government would be glad to see friends of the Western powers in Moscow. In spite of housing difficulties, he said, everything would be done to provide for press men as well as to create conditions favorable to their press activities.

Correspondents, he added, would be able to report the proceedings of the meeting from Moscow just as they have from Paris and New York. This was interpreted to mean they would not be under any censorship or other governmental handicaps.

Russians Claim Production Gains

LONDON — (AP) — The Moscow radio said today that industrial production in the Soviet Union rose 19 per cent during the first nine months of 1946 "in bold contrast to the situation in the U. S. and the latest data on unemployment there."

"Postwar reconversion of industry has taken place in our country without a crisis or any of the other ups and downs inherent in capitalism," the broadcast added.

Smashing Blow Averted

Strike Only Made 'Dent' In Economy

By CHARLES MOLONY

WASHINGTON — (AP) — Government economists said today it will take a month or two — possibly longer — for production to return to the peacetime peak that had been attained on the eve of the 17-day coal strike.

Nevertheless, they added privately, the nation has been spared the smashing blow that a prolonged strike would have meant. Hence when finally measured against the vast scale of this country's economy, the effects may seem "only a dent."

One economist remarked it may turn out that "the greatest loss was in tempers and creature comforts."

All agreed, however, that it will be some time before total effects of the shutdown become fully apparent.

Besides the coal itself — not only a source of power but a basic material in production — the other industry hardest and most directly hit by the strike was steel. Steel also is a fundamental link affecting the whole chain of the economy, and analysts said it probably will take two or three weeks or more to restore steel production.

The automobile industry, another sufferer, was seen as rebounding somewhat more quickly — in a week or two.

Also hit quickly and hard were parts makers, whose production loss threatened to throw out of gear the making of many finished products.

Several building materials in severely short supply, including cement, and chemicals, paper and pulp also were said to have felt the effect of the coal stoppage sharply.

On the score of wages and profits, the economists said losses will bear hard on those who suffered them, but are not likely to loom large against the national totals.

Georgia Gets Evidence

Columbian Plot To Establish Nazi-Like Government Bared

ATLANTA — (AP)—Attorney General Eugene Cook said today that the State of Georgia had obtained evidence for criminal charges against several members of the Anti-Negro, Anti-Jewish Columbians who sought to establish a Nazi-like Government in the United States.

In a formal report to Governor Ellis Arnall, Cook summarized statements of state prosecutors and former members of the organization which he said would show that the Columbians, "through its officials and agents:

"1. Systematically plan to intimidate and injure members of minority religious and racial groups.

"2. Conspire to bring about the arrest of innocent Georgia citizens on false charges.

"3. Have arrested Georgia citizens.

"4. Assemble a private arsenal of deadly weapons.

"5. That Homer L. Loomis (Columbian Secretary), Emory Burke (Columbian President) and Ira Jett, as a consequence of a conspiracy between them, planned the bombing and did bomb a home at 333 Ashby Street, in the City of Atlanta, Fulton County, Ga.

"6. Corruptly influence the behavior of minor youths in such a way as to incite them toward the commission of crimes against the State of Georgia.

"7. By force, threats, duress and intimidation, have restrained home owners in Fulton County from the full and proper enjoyment of their property.

Cook called the Governor's attention to statements of Loomis and Burke which he said would "show that their announced purpose, whether it is within the range of possibility or not, is to create a state of insurrection and to with force and arms suppress the rights of Georgia citizens."

"It is very evident from the information and documents we have in hand that the philosophy and objectives of the Columbians are taken almost without change from the Nazi ideology," Cook's report said.

"We are able to supply evidence to show that at least three of the leaders of the Columbians have direct connections with persons of Nazi ideology and connections."

Assistant Attorney General Dan Duke reported that with the aid of Professor James H. Sheldon, administrative chairman of the Anti-Nazi League in New York, who sent undercover

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Reds Drive On Paoting

PEIPING—(AP) — Chinese Communists battled to within ten miles of Paoting, the Hopeh provincial capital, today as party leaders proclaimed they were taking the initiative in China's civil war.

Fighting raged in four provinces —Honan, Shansi, Shantung and Hopeh—and the Communists made test thrusts in Northern Manchuria, where Government officials say the Communists are prepared to throw 100,000 to 150,000 men into a new campaign.

Gen. Hsiung Shin-Hui, director of Chiang Kai - Shek's Manchuria Headquarters, quickly called an extraordinary conference of Army commanders and provincial governors.

Government sources said they expected the Communists to launch a concerted assault on Paoting momentarily. Seventeen regiments penetrated the city's outer defenses. The Government garrison there withstood a month long seige early in the Fall.

CRITICAL SITUATION

The official newspaper Chih Shih Jih Pao called the situation critical.

In Manchuria, Gen. Lin Piao's Communist forces made test thrusts across the Sungari River, south of Harbin. The independent newspaper Hsin Min Pao said 20,000 Communist troops from Taonang were pushing along the railway toward Szepingkai, 130 miles to the southeast.

In Honan, 80,000 Communists were reported advancing against two Government strongholds, Anyang, 80 miles north of Kaifeng, and Hwahsien, 56 miles north of Kaifeng.

They captured city after city in South and Central Shansi Province and in the North were poised a few miles outside Tatung for a signal to strike that coal mining and railroad center. Other troops, however, had been held up eleven days at Chungyang in their drive toward Taiyuan, the provincial capital.

In Shantung, the Communists continued attacks on the Tsingtao-Tsinan railroad in an effort to open a mountain corridor north to Chefoo, reported to be the only major port they still hold.

Lone Obstacle

U. S., Reds Differ On Arms Control

LAKE SUCCESS, N. Y.—(AP)—Conflicting United States and Soviet Russian views on setting up inspection and control organizations regulating arms control were reported authoritatively today to be the lone obstacle to completion of a proposedresolution of world-wide disarmament.

A drafting committee charged with framing the resolution went back into session today after working until last midnight.

An informant who would not be identified said that the United States desired that the General Assembly in its disarmament resolution leave a free hand to the Security Council in setting up the inspection and control organizations. The United States, it was said, does not desire that the resolution lay down specific decisions on the number of organizations or their names.

This source said that Russia has insisted that the resolution specifically provide for a commission for controlling the execution of decisions taken on the reduction of armaments and a second commission for controlling the decision on prohibiting atomic energy for military purposes.

FREE HAND URGED

The United States was said to feel that the Security Council should have a free hand in order to set up more than two commissions if it was found to be necessary.

Both the United States and Russia are agreed that there shall be no veto within the commissions, that they shall work by majority decisions on their day-to-day tasks. The veto will remain in the Security Council, however, as that body has the final say on any sanctions that might be voted as a result of any violations discovered by the control commissions.

Meanwhile, an unofficial survey of delegates indicated that the Assembly would override Russian opposition to an international inventory of armed troops at home.

At the same time, Great Britain appeared certain to lose its fight to set up a U. N. inspection board to verify figures submitted by member nations in the troop inventory.

The assembly was scheduled to meet in plenary session at Flushing Meadow Park to resume debate on the troop census proposal. Russia announced early yesterday she would oppose the inclusion of home forces in the inventory.

Meanwhile, the 54-member Political and Security Committee sent to the Assembly a Belgian resolution recommending that all members of the United Nations immediately recall their ambassadors and pleni - potentiaries from Franco Spain. The vote was 27 to 7, with 16 absentions, including the United States.

Raeder Refuses To Have Operation For Hernia

NUERNBERG, Germany—(AP)—Grand Adm. Eric Raeder, under life sentence as a war criminal, has refused to undergo an operation for hernia, making clear that he feared he would die of the operation. He is 70.

When the International Military Tribunal sentenced him to life, he appealed to the Allied Control Council to be shot. An officer who knows the old and disagreeable admiral commented:

"He never wanted to be shot and he wants to live today. Raeder was smart enough to know the Control Council could not increase his sentence. That was just a play for sympathy and he heroized himself."

More Miners Back In Pits

PITTSBURGH —(AP)— The nation's production of soft coal moved within striking distance of normalcy today as additional miners returned to the pits with little indication that there would be any future trouble over the strike fines assessed by operators during the seventeen-day walkout.

When production gets rolling smoothly, the operators usually cancel the fines, imposed on miners for each day they strike. The fines vary from $1 to $2.

The Navy's Solid Fuel Administration for Area No. 1, covering all of the bituminous fields in Pennsylvania, Ohio, Northern West Virginia and two counties in Maryland, reported that all except 1,861 of the area's 144,000 miners were working. Only 15 of the 2,761 mines are idle while production for today will be within 10,279 tons of the normal ouput of 860,000 tons.

Eight of the fifteen mines and 1,158 of the men were idle in central Pennsylvania where six of the locals have not received official word of the end of the strike. Several of them are expected to be open tonight when the second shift goes on.

WEST VIRGINIA INCREASE

The regional SFA pointed out that there was an increase of 21,000 above the average production of 180,000 tons in the Fairmont, W. Va. district where a shortage of cars held back production prior to the strike.

Reports from Virginia showed only about 2,700 of the 15,000 miners still idle with all of them expected back into the pits by tomorrow.

Virtually all the miners in Colorado have returned to work. Production reached normal in Alabama and Utah and only a few of West Virginia's 102,000 workers are still idle.

28 Hurt As Gang Of Boys Attack Trains

NEW YORK — (AP) — Twenty-eight train passengers were injured late yesterday when a gang of boys stoned 25 Long Island railroad trains near the Rego Park station, Queens, during the evening rush hour, the road announced.

Plainclothes patrolmen and radio patrol cars went to the scene but the boys had dispersed.

Most of the victims were cut by flying glass.

WEATHER

Partly cloudy this afternoon. Wednesday increasing cloudiness followed by showers Wednesday night and Thursday. Little change in temperature except warmer tonight.

Temperature at 2:30 today	66
High and low last 24 hours	67-44
Sunset today	5:11
Sunrise tomorrow	7:21

March 31 Is Set As Deadline For Curbs

Pressure Put On Congress

WASHINGTON — (AP) — Lawmakers of both parties today set March 31 as the deadline for labor control measures aimed at staving off a possible new coal strike at that time.

Republicans and Democrats alike said John L. Lewis' order sending his miners back to the pits until April 1 puts pressure on Congress to act swiftly if it is to find a solution for disputes in such essential industries as coal, steel, oil and transportation.

COUNSEL ASSIGNED

President Truman, himself eager for a legislative barrier to future labor crises despite his victory over Lewis, assigned Clark M. Clifford, his special counsel, to the task of drafting Administration recommendations to Congress.

One highly-placed friend of the President's said Mr. Truman does not want "punitive" legislation but would like to have written into law "a clear concept of labor's responsibility to the people and the Government."

Democratic legislators generally indicated they will wait for the White House proposals before taking any action on their own, although they differed about the course they prefer the Chief Executive to take.

Republican leaders on the other hand reported strong sentiment already taking shape within their party for a compulsory arbitration law that would forbid strikes in any dispute affecting the public welfare.

A bill providing for this has been whipped into shape for speedy introduction in the new Congress, one top GOP lawmaker declared. He added that it may form the framework for an overall labor law, covering many other phases of union-management relations.

INTERVENTION MACHINERY

The arbitration bill would set up machinery for rapid Federal intervention to prevent a shutdown affecting utilities, transportation or commodities "essential to public health or safety."

With coal output gradually returning to its normal figure of 2,200,000 tons a day, there were these hangovers from the seventeen-day bituminous shutdown:

1. The Supreme Court agreed to step into the Lewis case. That court yesterday set Jan. 14 for arguments on Lewis' appeal from his and the United Mine Workers' contempt convictions for refusing to obey a lower court's restraining order. The Justices could announce on any Monday after that date their settlement of the issues involved. The fines total $3,510,000.

2. Lewis' attorneys began preparing their defense against a Virginia State Corporation Commission charge that the UMW violated the State's "Blue Sky" law through the "sale" of union memberships.

Lewis has been directed to appear before the Commission at Richmond on Friday to show cause why a temporary injunction should not be issued. Associates said, however, they expect the mine boss to remain in Washington and let district UMW attorneys represent him at the hearing.

The unique action is based on a contention that union memberships are a form of securities and that Virginia law prohibits their sale except under Corporation Commission approval.

The Republican-backed compulsory arbitration bill as described by a party leader who asked to remain anonymous for the time being proposes creation of an independent labor disputes conciliation administration. Appointed by the President and confirmed by the Senate, this body would take over functions of the existing labor department conciliation service.

It would be advised by a labor-management committee also to be selected by the President.

Upon a declaration by the President, or by the governors of at least two states, that a dispute threatens to harm the public welfare, the Attorney General could obtain a court injunction against a strike or other work stoppage while the

See LABOR CURB on page 11-A