

THE WEATHER
Partly cloudy Tuesday and
Wednesday; little change in
the temperature.

VOL. CXIV. NO. 40.
SIXTEEN PAGES TODAY.

RALEIGH, N. C., TUESDAY MORNING, AUGUST 9, 1921.
SIXTEEN PAGES TODAY.

PRICE: FIVE CENTS

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DETERMINED TO CAS THIS JOINT RESOLUTION AGAINST LINNEY SEATE

Junior Tar Heel Senator Also Comes Out in Opposition to Confirmation

FEELS IT HIS DUTY TO VOTE AGAINST LINNEY

Overman Issues Statement in Which He Says Republican State Chairman Has Intended to Eliminate It; Opposed to Another "Force Bill"

New and Observer Bureau,
600 District National Building,
By EDWARD E. BRITTON
(By Special Leased Wire)

Washington, Aug. 8.—"I regard it as my duty to vote against him," said Senator Overman today, as he cast his vote against the confirmation of Frank Linney as District Attorney of the Western District of North Carolina. He stated that Senator Overman has not made public statements as to how he would vote, but he broke his silence this afternoon with the definite statement that his vote would be against Linney, his position determined by the statements Linney had made at the hearing of the protests of the North Carolina negroes against his confirmation.

Senator Overman takes the position that Linney instead of doing things to eliminate the negro problem, but intensified it, and that his attitude is an endorsement of another "force bill" against the South for federal legislation in behalf of the negro, with federal officers and lawyers at the polls. Declaring that he does not propose by his vote to be put in the position of giving his endorsement to Linney's political views, he announces he will vote against him. In his statement Senator Overman says:

Overman's Statement

"When the report of the negroes was read before the judiciary committee in connection with the Linney appointment, the committee overwhelmingly rejected against his nomination. Recognizing the principle, however, that every man is entitled to his day in court, I voted in favor of his nomination. I determined that Mr. Linney be given a square deal and not be condemned without a hearing, which I would have done to any North Carolina Republican. As a Democrat, the committee, therefore, upon my motion, reconsidered its action and granted a hearing to Mr. Linney.

"Mr. Linney's statement in answer to the protest of the colored people seemed to satisfy these conditions, but his statements were a disappointment to me. He stated he did not repudiate the circular letter because he did not intend to eliminate the negro vote by federal force. He stated, Mr. Britt that the adoption of this letter, or rather his failure to repudiate it, was done directly or indirectly in order to strike at the voters of the colored race in 1921 in North Carolina. Since I am eliminating the negro issue in his statement he has not intended it.

Against "Force Bill"

"He pointed with pride to the fact that his father had spoken in Congress advocating federal legislation for the enforcement of the federal government of the Fourteenth and Fifteenth amendments, and he stated frankly that he himself had determined, if he could not get relief from the legislature of his State, that he would advocate federal legislation to protect the negro in his rights to vote.

"I did not believe in this day and time that there was any Southern man, Republican or Democrat, who could advocate another force bill for federal legislation for the enforcement of the fourteenth and fifteenth amendments. It will be remembered that during the Republican administration since I have been a member of the Senate, Congress almost unanimously repealed and wiped from the statute book, I hope forever, all old election laws providing for reconstruction days providing for United States marshals, Federal officers and the removal of the Federal Government from the States. I do not think it would be possible now to get Congress even to consider passing an act to interfere with the election laws of any State for this or any purpose. It has generally been understood that each State has a right to regulate its own election laws without federal interference.

"As a member of the subcommittee, I did not object to his nomination and to the Senate, always ready to give a right to oppose him in the open Senate if I concluded it was my duty to do so.

"As my voting for Mr. Linney as District Attorney might be construed by some as an endorsement of his political views, I have voted against him."

(Continued on Page Two)

PREACHER DRAWS TWELVE MONTHS ON WAYNE ROADS

Goldsboro, Aug. 8.—Rev. W. H. West, well-known Goldsboro and throughout Wayne county, was sentenced to twelve months in jail today by Judge Bland after he had been found guilty in county court on charges of improperly assaulting a number of white boys here.

The assaults are alleged to have taken place near a swimming hole in Little River near Goldsboro. West was arrested by officers following complaints made by the victims' parents. The officers searched the swimming hole and the scene and caught West in the act. He was quietly brought to the city and placed in jail and little is known of the affair until the trial.

Friends of West tried to secure his release on the ground that he was morally afflicted and not responsible for his acts, but Judge Bland refused to change his decision.

LAST PHOTOGRAPH OF FAMOUS TENOR

OF FAMOUS TENOR

TO ELIMINATE TAXES ON FOUNTAIN DRINKS, ICE CREAM AND WEARING APPAREL

TOTAL LOSS WOULD BE LESS THAN 50 MILLION

Reduction of One-Half in Levy on Sporting Goods Also Said to Have Been Agreed Upon by Republican Majority; Discuss Means of Reducing Taxes and Expenses

Washington, Aug. 8.—Agreement to eliminate the taxes on fountain drinks and ice cream and the so-called luxury tax on wearing apparel is understood to have been reached today by Republican members of the House ways and means committee, sitting in executive session. A reduction of one-half in the ten per cent levy on sporting goods also is said to have been agreed upon.

The total loss of revenue from these proposed changes would be slightly less than \$400,000,000, the reduction of the first to be passed upon by the majority members in their effort to ease out the announced reduction of the luxury tax. Republican leaders to cut half a billion dollars from the Nation's tax bill. Means of reducing the tax on wearing apparel and the tax on sporting goods are being discussed at a meeting and favorable action was predicted by some members of the committee, who argued that it was not fair to remove the tax on drinks at fountains in the cities and retain the levy on bottled goods and largely in the rural districts.

Photograph of Enrico Caruso, the great tenor who died at Naples, Italy, several days ago, taken while with his wife and little daughter, Gloria, in the hotel balcony at Sorrento, Bay of Naples. Caruso was taken ill at Sorrento and rushed to Naples, where he died a short while later.

The Sunday magazine, open stars and others of the Metropolitan Opera Company at New York gathered for a memorial service and the reproduction of the great tenor's voice brought tears to many eyes. At Chicago a similar memorial service was held and the memorial address made by J. Hamilton Lewis, former Congressman from Illinois.

Action Drags in Second Act Quarry Drama; On Bottom Today

Gravity Lowers Efficiency of Pumps and Drainage Delayed

SOLICITOR TO MOVE WHEN WATER IS OUT Distribute Goldfish This Morning To All Corners, Crowd Bill Watches

Action dragged in Act II of the drama of the Lock Quarry yesterday. Not because of any lack of capacity on the part of the actors, but because of the force that Isaac Newton discovered when the apple bumped him on the nose some centuries ago. Gravity took hold of the pumps, and because lifting power was greatly reduced when they were lowered ten feet further into the quarry, the pumps were unable to lift the water from the bottom of the quarry. The curtain will rise upon Act II tomorrow, with the lead role shifted from the shoulders of the Metropolitan Superintendent of the Highway Commission to those of the Solicitor. What time he will appear, however, he will, remain to be heard and seen. Whether he will move against anybody tomorrow, or whether he will be content with the climax of unfinished Act II will give him further rest, he will not say until the quarry is dry.

The spectators stood in the laboring pump straggle with the remaining half million gallons of water in the quarry. Mathematicians among them, drinking from the water, and how much their force had been reduced by the neglected drainage. The level fell slowly, and none could say to the hour just when the bottom would be reached, certainly not later than sundown today, unless the pumps fall altogether. This morning the actors will be seen, and somewhat when Superintendent W. T. Terry dispenses fish, thousands of them, to any who come with a bucket, as desired of becoming proprietors of a pair of gold fish may have them, and they can come without fear that somebody has been ahead of them with the same fish. No accurate census has been taken of them, but the original estimate of two truck loads must be expanded if there cannot be less than four truck loads.

Standing sixty feet above the water yesterday spectators could see the glint of burnished gold, of polished silver and dainty shadows as the goldfish, silverfish, and black bass wandered about in the water. The constantly changing crowd of spectators who have driven the fish together in thick masses toward the center. There was nothing new about the morning, and visitors to whom never may want them.

WANT ALL-AMERICAN MERCHANT-SHIP FLEET

Washington, Aug. 8.—In an effort to put the American merchant marine on a par with all-American banks as possible, the Shipping Board has ordered the proposed American fleet, including those tied up, or all several officers, D. J. Keefe, former Commissioner General of the United States, has been placed in charge of the survey and has relinquished the campaign department to the construction agency to ship under the American flag.

WANT COTTON MEETING

Abeville, Aug. 8.—Telegrams were received today by Governor Morrison from New Orleans and Austin, Texas, in which he was asked to convene a meeting of the cotton growers of the South. It is understood the convention in all probability will be held in North Carolina.

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HOUSE OF REPRESENTATIVES

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HOLDS UP HEARING ON CLEMENCY CASES

Gov. Morrison Will Listen to Appeals For Condemned Men in Raleigh

Before Under Review of Special Sections of the State Revenue Law, the committee majority spent several days discussing possible reductions in both taxes and expenditures, together with the probable amounts of government income from the various sources other than internal revenue. Several sets of figures were considered, but they were not adopted until they were reached on any final total.

It is understood that the course of this discussion there was suggestion that the committee appoint a delegation to go over the whole situation very frankly with Governor Morrison and Secretary Mellon with a view to reaching an executive agreement, so far as the executive department is concerned, regarding the expenditures. It is being held down rigidly on the expenditure side. A delegation was authorized to go to Raleigh to see Governor Morrison and Secretary Mellon with a view to reaching an executive agreement, so far as the executive department is concerned, regarding the expenditures. It is being held down rigidly on the expenditure side.

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LAW PUNISHING BAN LABOR FEDERATION

PLEDGES HELP FOR STRIKING WORKERS

PRESIDENT OF STATE FEDERATION OF LABOR

State Organization Adopts Resolution Pledging Moral and Financial Aid at High Point Convention

ANTI-PICKETING LAW AT CONCORD ATTACKED BY JAMES F. BARRETT

Declares Ordinance Violates Spirit of the Constitution and Decision of the Supreme Court of the United States; Major W. F. Moody, of Raleigh, State President, Declares Federation Has Moved Forward Despite Its Most Stormy Year; Delegates From All Parts of State Attend Opening Session

High Point, Aug. 8.—A resolution pledging moral and financial support of the textile workers on strike at Charlotte, Kannapolis and Concord and demanding the repeal of the anti-picketing law passed by the Board of General Administration of the State at its session of the 29th annual convention of the State Federation of Labor, was adopted here this morning at 10 o'clock. Mr. Barrett, the anti-picketing ordinance during his response.

Major W. F. Moody, of Raleigh, president of the North Carolina Federation of Labor, which yesterday opened its annual session at High Point with 100 delegates from all parts of the State in attendance. Major Moody called the initial session to order and delivered his annual address, which showed the Federation to be making substantial progress.

TRIAL OF HALLMAN STILL IN PROGRESS

Young Marshallville Man Charged With Criminal Assault; Trial at Monroe

Monroe, Aug. 8.—The fourth day of the trial of Lee Hallman, young white man of Marshallville charged with criminal assault upon Miss Louise Tolbert, of Chatham county, while she was on a visit near Marshallville on Thursday July 21, ended today with much evidence yet to be offered. Both plaintiff and defendant are in jail here.

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