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Local showers Sunday;  
Monday fair, except probably  
showers near the coast.

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## STRENUOUS FIGHT AHEAD FOR LINNEY ON SENATE FLOOR

Promises To Negroes Bring Serious Apprehensions To Eminent Lawyers

**GRAVE CONCERN FELT  
OVER CONFIRMATION**  
Makes Secure His Claim To Leadership of Republican Party By Tearing Away Mask of "Political Hypocrisy," Declares Attorney; South Now On The Charity List

The News and Observer Bureau, 603 District Nat. Bank Bldg. By EDWARD E. BRITTON. (By Special Leased Wire.)  
Washington, July 30.—The indication at the close of this week is that there will be action the coming week on the nomination of Frank A. Linney for district attorney of the Western District of North Carolina, and also on the nomination of Henry Lincoln Johnson for recorder of deeds of the District of Columbia. Not only in North Carolina is there interest and concern in the Linney nomination, but there is much of it here, and the fight that is promised cannot be Senators Hiram Johnson and Hiram Bingham made it of interest in their states and amongst their friends in Washington.

That Senator Johnson has never forgiven Mr. Linney for his action at Chicago is known, and there is recalled that when Linney called at the headquarters of the "Johnson for President" convention that there was a hot interview between the two, the "hotness" being shown by Senator Johnson.

**Promises Arouses Apprehension.**  
In the minds of many North Carolinians there is questioning as to what may result from Frank Linney being a Federal district attorney, and it has become known in Washington that letters are being received here by members of the North Carolina delegation in Congress that express much apprehension in the matter of the confirmation of Mr. Linney as United States attorney since his promise to the negroes to prosecute Democratic registrars. I have been furnished with a quotation from one of these letters, which is said to have come from one of the biggest Democratic lawyers in North Carolina. This quotation is as follows:

"I have been very desirous of getting the data that is now appearing in some of the newspapers with reference to Mr. Linney's statement before the Senate Judiciary committee. My first impression was that Mr. Linney should not be martyred because he signed a letter addressed to the white women of North Carolina. Afterwards I felt that he had 'twiggled' and that he had surrendered to the element in his party which would demand the indiscriminate registration of colored men and women in North Carolina. In fact, I have reliable information that already the Department of Justice has directed the United States attorneys in some districts in the South to investigate and prosecute registrars who have refused to allow negroes to register, and I had come to the conclusion that no district attorney would be appointed in the South who was not willing to agree to force on the registration books the names of negroes and even to attack our constitutional amendment if necessary. I am very uneasy for fear our suffrage amendment may be put in jeopardy by proceedings similar to those in the Oklahoma case. Many eminent lawyers think it might be done, and I have, therefore, viewed for the last 30 days with great concern the developments in this Linney matter."

**His Claim Now Undisputed.**  
But this is not all. From another source I get a quotation from one of the outstanding leaders of the bar in Western North Carolina, this quotation reading:

"I have heard it proclaimed that Mr. Linney represented the highest interests of the Republican party; that he was a typical representative of the Republicanism of North Carolina, but never before have I been able to appreciate the truth of the claim so well as I do now. I willingly concede all that is claimed for him for now since he has torn away the mask of political hypocrisy and taken his stand with the negro politicians in his party in favor of the prosecution of Democratic registrars who try to maintain the supremacy of the white race, it can no longer be questioned that he is entitled to undisputed leadership of the Republican party of our State."

Letters of this nature are of such import as to set Democrats to thinking and to bring to their realization what may be in the plan of the Republican party to "Lily white" itself in the South by a surface declaration that it wants to get rid of the "negro question" while under the surface it wants to hold on with might and main to the negro vote. This 1920 "regeneration" of the Republican party in the South is the wedge that it seeks to drive in among the white voters with its plea of "respectability" and it is akin to that old saying of "When the devil was sick, the devil a saint would be; when the devil got well, the devil a saint was he." These Republican United States attorneys who are going to prosecute Democratic registrars for not registering negroes just as they would prosecute bootleggers, and illicit distillers need watching.

**South On Charity List**  
And now as one result of the "famine and starvation and plague" bulletin of the public health service and letter of President Harding, the South is being offered donations, put on the charity list as it were. There was made public

## TRIAL NECESSARY TO GET PENALTIES, JUDGE BOYD RULES

Issues Permanent Injunction Against Execution of Warrants of Distrain

**AGENTS MUST RESPECT  
RIGHTS OF CITIZENS**  
Greensboro Judge Holds Commissioner of Internal Revenue Has No Right To Summarily Make Assessments Against Man Accused of Violating The Volstead Act

Greensboro, July 30.—An order permanently restraining J. W. Bailey, collector of internal revenue for North Carolina, from executing warrants of distrain on the property of 29 persons in Western North Carolina, accused of a violation of the National prohibition law, was signed by Judge James E. Boyd in Federal Court this morning. Judge Boyd handed a lengthy opinion in issuing his order.

He stressed the fact that the rights of the citizens of the United States must be respected and declared that the actions of some of the prohibition enforcement agents now operating in this country can be classified only to the dealings given a barbarian conqueror to his enemy.

Judge Connor's statement in hearing a similar case that the "Conditions in the Eastern district are such as to shock North Carolina," will apply to the Western district also, according to Judge Boyd, who declared that prohibition enforcement agents undoubtedly indulge in flights of fancy in making their estimates of the time that a still has been in operation. Judge Connor now has about 30 similar cases before him for decision.

However, getting down to the law involved in the proposition he does not believe that the commissioner of internal revenue has the right to summarily make an assessment against a man accused of a violation of the Volstead act and then have his property sold to satisfy the levy.

He holds that the penalties provided under the Volstead act can only be obtained through civil actions in the courts or as a part of a judgment in criminal action.

He asserted that the way in which things have been operated has got to stop, and that the commissioner of internal revenue nor any of his agents have the right to make an assessment against an accused man's estate and proceed without his knowing anything about the affair, to take out a great bill and try to collect it without any course of trial.

He also declared that the right of search without a warrant has got to be stopped, saying that every man is entitled to the rights guaranteed him by the Constitution.

The cases in question this morning were the complaints filed against J. W. Bailey in endeavor to get a permanent injunction restraining him from selling the property of the 29 plaintiffs to satisfy assessments made by the commissioner of internal revenue for alleged violation of the Volstead act. The court held that any such assessment must be made by the courts only after proper trial and signed and the permanent order of restraint.

Collector Bailey was not represented by counsel. Practically all of the plaintiffs were represented. The cases were argued before Judge Boyd here some time ago.

## COMMISSIONER CLARK TO ENTER LEGAL FIELD

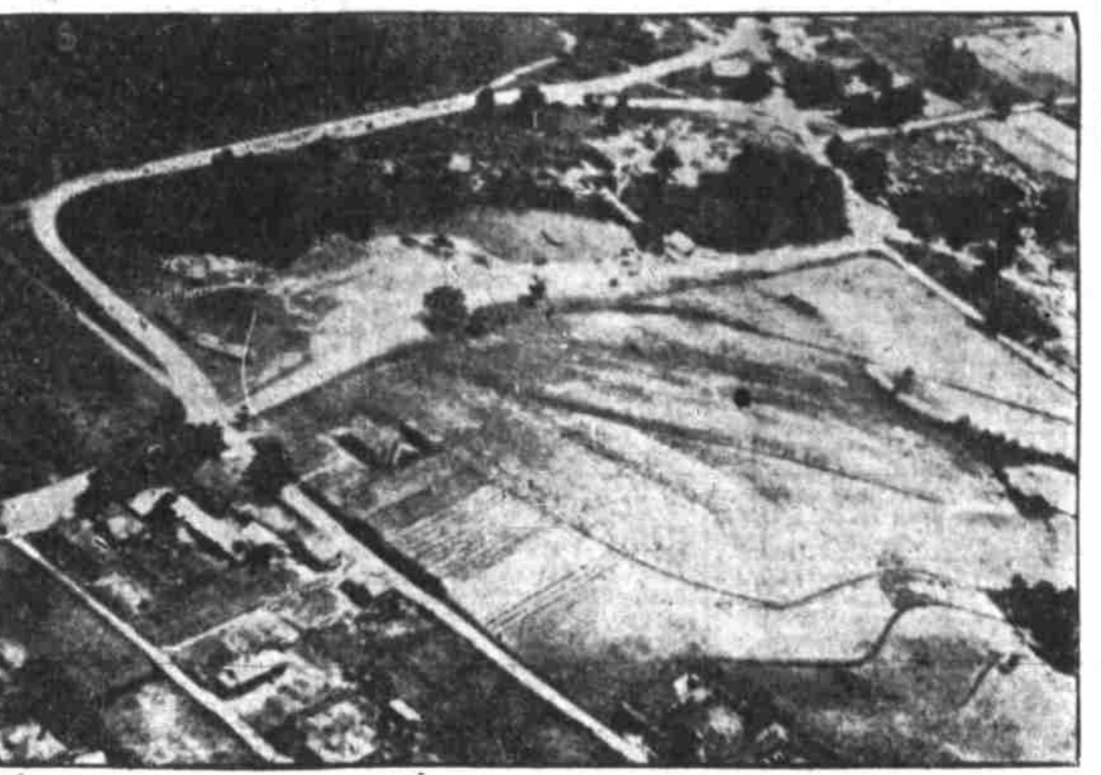
Chairman of Interstate Commerce Commission Resigns Government Job

Washington, July 30.—Edgar E. Clark, chairman of the Interstate Commerce Commission, who recently submitted his resignation to President Harding, will enter a partnership for the practice in Washington of commercial law, according to an announcement today.  
Mr. Clark, who has been a member of the commission since 1906 and chairman for the last three years, resigned, it was stated today, in order to relieve himself of the strain connected with his office and also to make more substantial provision for his family. It was emphasized today at the commission offices that there had been no disagreement between the chairman and the administration.

## GERMAN GIANT LOSES CONEY ISLAND LAURELS

New York, July 30.—Crestfallen at having lost the Coney Island giant championship, Ludwig Schulten, 7 feet 3, today sailed back to Germany on the steamship Ordana, reclining on a couch comprising three beds lashed into one. Until recently, Ludwig had only to stand on a side show platform and show folks how tall he was. Then an intruder dropped around, towering four inches above Ludwig's tallest look.  
Ludwig knew his laurels were toppling from his lofty brow. He put on a high hat and high heeled shoes, but his rival followed suit and retained his four inches lead. Then he replaced Ludwig on the platform.  
Ludwig returns to Germany with the will to grow, hoping to stage a comeback.

## THE ROCK QUARRY AND ITS ENVIRONS AS IT LOOKS FROM AN AIRPLANE MOVING 90 MILES AN HOUR 800 FEET UP



Photograph taken for the News and Observer by Lieutenant Gus Leggar at 2 o'clock yesterday afternoon. The Quarry road elbows its way east at the left of the picture, and along the edge of the Federal cemetery. The dark water of the pool is between just below the road. The incinerator built by the city is at the right end of the pool, and an inch or so below and to the right, the dark spot where the tunnel caved in. The fence will run along the upper road to a point half way between the quarry and the elbow, thence to the tree beside the lower road, and then south along the outer edge of the road to a point 40 feet beyond the incinerator, and back to the upper road.

## Fence Off Quarry For Safety Of Spectators and Prisoners

**MRS. STONE TELLS  
OF TIMELY RESCUE**  
Ten-Foot Fence Will Be Erected First Thing Tomorrow Morning  
RE-OPEN OLD TUNNEL FOR WATER DISCHARGE  
Pump Will Be Installed at Lower End of Quarry; Pontoon Plan Abandoned

Spray Falls, Alberta, July 30.—Mrs. W. E. Stone, resting in an improvised camp on Mount Eanon, described today how the shrill sound of her voice, caught up by the multitude of peaks and crags and re-echoing, saved her life after her husband, president of Purdue University, of Lafayette, Ind., had perished in climbing the mountain and after she had lain eight days on a perilous ledge.

A searching party had figured out the probable course that Dr. and Mrs. Stone would take in the attempt to ascend Mount Eanon. From a point of vantage the searchers had scoured every side with their glasses without a sight of anything. Then, as they decided to go on, one member of the party thought he heard the cry of a woman from afar. Listening intently, the searchers heard it again. A more minute inspection with their glasses revealed far below and across the canyon the form of a woman. One hour later Mrs. Stone was rescued.

At different periods she had raised her voice with all the vigor she had, expecting that some time it might be heard and she would be rescued.  
Dr. Stone was within five minutes climb of the top of the hitherto unscalable mountain, the goal which he and his wife had set, when his own death occurred.

The accident happened on July 16. Mr. and Mrs. Stone expected to make the climb, rest at the top, and then get back to the food cache that night.  
Dr. Stone was climbing above, hopefully, cheerfully and unhesitatingly without a word of warning, a farewell of any kind, not even a sign, he plunged over her head to the abyss below. He fell fully 5,000 feet, in the opinion of his wife. She saw the body strike a rock, bound from it from cliff to cliff and on down the side of the mountain. She began a hasty descent in an effort to get to her husband. She fought her way down the side of the mountain, and when found was 3,000 feet below the point where Dr. Stone had fallen.

How Mrs. Stone became marooned on a ledge of rock she does not know herself.

## BRITISH TO HELP IN POLICING UPPER SILESIA

Note To French Premier  
Smooths Over Situation and Promises Co-operation

Paris, July 30.—(By the Associated Press).—Lord Hardinge, the British ambassador, informed Premier Briand this morning that Great Britain willingly agrees to the proposals contained in the French premier's latest note relative to troop reinforcements for Upper Silesia. The British ambassador at Berlin, has been instructed to join his French and Berlin colleagues in a common demand that the German government facilitate by all possible means the transport of Allied troops across Germany whenever the situation in Upper Silesia renders it necessary.

Marquis Curzon, the British foreign secretary, in the note which Lord Hardinge handed M. Briand, proposes August 8, as the date for the meeting of the Supreme Council, as the Italian Premier is unable to attend sooner. Premier Lloyd George will attend if the French desire his presence.

The British reply is extremely cordial. Lord Hardinge expressed satisfaction over the disposition of the recent misunderstanding.

**Blair Makes Appointment**  
Washington, July 30.—Commissioner Blair announced today the appointment of Daniel J. Ganit, formerly Federal supervising prohibition agent at Atlanta, to be assistant field supervisor with supervision over the southeastern district.

## SOVIET RUSSIA TO RELEASE SUBJECTS OF UNITED STATES

CARRIER PIGEON BRINGS MESSAGE FROM PRESIDENT; FLIGHT OF OVER 250 MILES

Washington, July 30.—Communication with Washington by Naval carrier pigeon was maintained today by the Presidential yacht Mayflower as she steamed up the Atlantic coast with President and Mrs. Harding aboard en route to Plymouth, Massachusetts, where on Monday the President will speak at the ceremonies commemorating the tercentenary of the landing of the Pilgrims.

Before the Mayflower left Washington yesterday, Lieutenant A. J. McAtee, director of the Naval Pigeon Service, placed five carrier pigeons aboard. At 4:55 p. m., today one of the birds returned bearing a message from the President to the executive office. The pigeon had left the Mayflower at 11:30 a. m., today when the yacht was about 25 miles northeast of Cape Henry Light, a distance of about 250 miles from Washington.

The President's message, obviously hastily scribbled, said: "Fine voyage, all well. Mrs. Harding greatly refreshed. Making our schedule amidst excellent conditions. Inspection this morning revealed fine crew aboard the Mayflower. Greetings to all the office force."

## LORD NORTHCLEFFE LEAVES FOR CANADA

Expect No Such Incidents As Occurred In Washington On Remainder of Trip

New York, July 30.—Lord Northcliffe left for Toronto tonight on another leg of his journey around the world. The British publisher declined to answer any question having reference to his controversy with Premier Lord George or the interview erroneously attributed to him by a British newspaper in which King George was quoted as having told the Premier, in a conversation concerning the Irish troubles, that "I cannot have my people killed in this manner."

"London has no orders to give the dominions," was the comment of H. Wickhamstead, editor of the London Times, who accompanied the publisher to Toronto, when asked whether he expected any such incident as the cancellation of the British embassy dinner in Washington, to which they had been invited, on the remainder of Lord Northcliffe's tour, which will take him through Canada, Australia and other parts of the British empire.

The interview attributed to Lord Northcliffe in some newspapers abroad and which brought forth a denial from the King was credited to Mr. Stead in Monday's issue of the New York Times from which it was taken. Mr. Stead, however, declared today that he was misquoted.

"The direct statements attributed to me I did not make," he said. "I could not have made them, because neither Lloyd George nor the King told me what they said to one another. I do not know to this day what they said to one another."

"As to the actual facts of the Irish situation, it is a fact no one can contest that the possible settlements growing out of the trace are directly accountable to the speech by the King at Belfast—a great hearted, considerate speech."

"It is also incontestable that King George feels for all his subjects an equal solicitude, and nothing would reduce him more than to see prospective peace in Ireland."

"The London Times has worked very hard for the last two years to promote the settlement in Ireland that the government seems to be approaching, and we have given Mr. Lloyd George's government the fullest support when it seemed to be treading the path of peace. We shall continue to give the Lloyd George government fullest support in all efforts toward a successful conclusion. No one knows that better than Lloyd George, who for two years has had pertinent reasons to know how true it is. That and that alone was the sense of the quite informal talk I had with the representative of the New York Times."

## SUNDAY SCHOOL CLASS TAKEN FOR MOONSHINERS

Farmville, July 30.—Mistaken for moonshiners, a class of several boys from the Presbyterian Sunday School here had a fine outing at Old Contentnea this week. They had built a roaring camp fire, told wonderful stories of Indians and war heroes and such things and were just preparing for a big supper when two pistol shots pierced the darkness. For the space of a minute, it was very quiet. The officers, who had suspected the boys of being moonshiners, stepped out of the woods and there was great rejoicing among the youngsters to find some of their friends in the posse that were searching for blockade liquor. After more ghost stories, the hikers returned home. They voted for a camping trip every week.

## SIX MEN KILLED IN PLUNGE OF 2,000 FEET

Grand Junction, Col., July 30.—Six men were killed and six others injured, three seriously, when a tramway car cable slipped out of the gravel late today at the Schuyler Doyle Shale Company's plant, the car plunging to the floor of the gulch, 2,000 feet below.

## Also Agrees To Accept Famine Aid For Starving Children From The American Relief Association

SENATOR FRANCE WANTS TRADE RELATIONS WITH LENINE REGIME RESUMED

Maryland Senator, Now at Eiga After Trip To Moscow, Enthusiastic For Resumption of Both Trade and Diplomatic Relations; Brings Mrs. Marguerite E. Harrison, of Baltimore, One of Prisoners, Out of Russia; New Developments May Tend To Clear Up Russian Situation; Nothing Official On Matter Received In Washington So Far

Riga, July 30.—(By the Associated Press).—Soviet Russia has agreed to release American prisoners and to accept famine aid from the American Relief Association just at the moment that United States Senator Joseph I. France, of Maryland, has returned to Riga from Moscow, determined to advocate renewal of trade relations, and perhaps diplomatic relations, between Russia and the United States and bringing with him one of the prisoners, Mrs. Marguerite E. Harrison, of Baltimore, who was freed by his efforts at Moscow.

Senator France, who entered Russia several weeks ago, sceptical of the advantage of immediate diplomatic relations with the Soviets, but believing that trade relations were advisable, has returned an ardent enthusiast for both.

While American officials in the Baltic are speculating as to what effect the release of the prisoners and the entrance of the American Relief Association into Russia will have in clearing up the Russian situation, Senator France declared that the Lenine government was starting a new line of developments in Russia, which "cannot backslide into radical Communism again."

In reply to a question as to whether the Moscow Bolsheviks were trying to revolutionize the world, including the United States, Senator France said: "I know nothing about the Third International. But no man worthy of any attention ever believed that propaganda could start revolutionary conditions, history shows."

**Talked With Leaders**  
The Senator talked with both Lenine and Trotsky and was impressed by them.

"I found that the Russian government is handling the situation in a statesmanlike way," he said. "Lenine is much interested in American relations. The Russian factories have not all ceased operations; many are working well. They are short of raw materials, but that is not their fault. The peasants are working the lands and the farms are prosperous where they are not in the famine and drought belt."

The Senator mentioned furs as one of the possible products of trade with the United States, and asserted that there would be plenty of exports when the factories were equipped and agricultural needs were supplied from abroad. He thought a commission of American experts would be welcomed, but contended that Russia should have the right to send one to America, also.

"I am convinced that Russia will carry out any guarantee or concessions made in return for credit," the Senator declared.

**Mrs. Harrison Freed**  
Describing his visit, he said he was free to move about and see what he liked, and the officials frankly admitted bad conditions where they existed. The Senator secured Mrs. Harrison's release from prison independent of the Hoover and Hughes notes, of which he knew little.

Mrs. Harrison was freed from the prison hospital only a few hours before the train left Thursday, and was surprised to find herself at liberty.

"After three weeks devoted to do the hardest work I ever expect to do, literally filled with interviews with the executives of the central government of Moscow, with the examination of records, and, so far as the limited time permitted, with personal investigation of basic conditions, I can confirm the impression I had on entering that the United States should immediately resume trade relations with Russia," the Senator's statement read.

"My own belief is that the resumption should be of diplomatic relations, but I prefer to have that recommendation come from the commission which we would have to send to negotiate a trade agreement. I am certain that any commission would see that prompt recognition was desirable."

**Order and Industry.**  
"I find no indication whatever that Russia is getting in a worse condition, but on the contrary, I feel that the government officials are in harmony and working patiently and intelligently to bring about order and industry. Recent decrees have inspired confidence on the part of the Russian people, and any contact with the outside world now will be of great help."

"Neither England nor Germany hesitates to extend this aid, and I don't see why America should. In fact, as I crossed the border coming out of Russia I met a special train of sleeping cars, baggage cars and flatcars carrying red automobiles which bore the British coat of arms. It was a British trade delegation going into Russia, and I thought there was no reason why the American Eagle should fear to go where the British Lion dares venture."

"The famine condition in the Volga is unquestionably bad," continued the statement, "and the government officials do not conceal their anxiety. Just how

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