

SENATOR OVERMAN STRONGLY DEFENDS CIVIL SERVICE ACT

North Carolinian at the Heels of Republicans who Misconstrue Meaning

NOT ATTEMPTING THE SPOILS SYSTEM Great Majority of Government Officials at Washington Are Now Republicans

(By George H. Manning.) WASHINGTON, May 31.—(Special) Senator Overman believes that the several resolutions he has offered to reconstruct the civil service have been generally misunderstood. He resents the position taken by several republican senators that he wishes only to remove certain employees of the government from the service in a deliberate attempt to evade and break down the civil service system.

He is in favor of fourth class post-offices being under the civil service, but does not believe that it is a square deal to fill the service with republicans and then just a few months before the republican party goes out of power, to cover them all into the civil service.

No Spoils System. "No attempt to again put into effect the spoils system, as is being charged by some of the republican senators was ever contemplated by me, but, on the other hand, it is my desire to improve and purify the civil service so as to make it what it was originally intended to be—a system of efficiency by which all men would have an equal opportunity to procure appointments and promotions in the government service without regard to political and personal influence and favoritism.

The report of the commission on economy and efficiency, made to President Taft last March, which was delivered to the senate today, at my request, shows that the civil service has been used as a cloak for the old spoils system, and in reality, as administered at present, the civil service is worse than the old spoils system.

Thousands of appointments have been made by executive order as a result of misconstruction of the law, in which persons, without regard to their efficiency, but purely through political influence, have been appointed to those offices. It is a known fact that in the south some of these postmasters included in President Taft's order placing fourth class postmasters in the classified service are men of the worst class of citizenship in that section of the country. Many of them are ward heelers and politi-

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UNITED STATES AND GREAT BRITAIN HAVE RENEWED THEIR TREATY

Five Year Agreement Was Officially Signed Yesterday in Washington.

TERMS NOT CHANGED

WASHINGTON, May 31.—Secretary Bryan and Sir Cecil Spring-Rice, the British ambassador, late today signed a renewal for five years of the general arbitration treaty between the United States and Great Britain which expires by limitation on June 4.

TEDDY GETS SIX CENTS DAMAGES AGAINST EDITOR

Trial Comes to Abrupt End When Publicity Seeker of World Asks for and Gets "Nominal Sum". Makes Hasty Exit.

MARQUETTE, Mich., May 31.—Colonel Theodore Roosevelt today won his libel suit against George A. Newett, who charged the colonel with drunkenness and, waived damages after the defendant had uttered a retraction.

The jury awarded the nominal damages of six cents provided in such cases by the laws of Michigan. Each party to the suit will have to pay his own expenses.

Judge Flannigan instructed the jury to bring in a verdict for the plaintiff, which they did without leaving their seats. The colonel left for Chicago and the east at 5:30 o'clock this evening less than two hours after the conclusion of the case.

Crowd Was Expectant. When the afternoon session began the air was electrical with expectancy. Rumors were flying that the suit would be terminated. Attorney Van Benschoten, for the plaintiff, however, resumed the reading of depositions. It was noticed, however, that he ignored the testimony of some witnesses. The next move was sudden.

"The plaintiff rests," remarked the attorney, James H. Pound, in a matter of fact manner. William F. Belden of Ishpeming who with Horace Andrews, of Cleveland, was Mr. Newett's attorney, said:

"The defense will call Mr. Newett." A ruddy checked man whose color did not disguise the fact that he is suffering from a serious illness, took the chair. In his hand he carried a manuscript. When the defendant began reading Colonel Roosevelt moved to the edge of his chair, and betrayed an excitement, which his rigid jaws could not hide. Mr. Newett was well along in his reading before the colonel whose position seemed like that of a man about to leap forward, lost the tense look on his face.

Statement Is Made. "It is fair to the plaintiff to state that I have been unable to find in any section of the country any individual witness who is willing to state that he has personally seen Mr. Roosevelt drunk to excess."

At this the plaintiff smiled and relaxed. The colonel broke into a grin again when Mr. Newett said, with reference to the mass of testimony adduced by the plaintiff, "I am forced to the conclusion that I was mistaken."

He drank to excess, but in every case the stories flattened out to mere opinions or hearsay. The libel was published in good faith, Newett said, in the belief that it was true and proper information. That it was true the defendant said he believed until the trial opened.

No Demand Made. No demand for a retraction ever had been made, he stated, and when the bill was filed against him, there was nothing left for him to do but to make preparations to contest the suit. Forty depositions were taken in various parts of the country, but to use, or attempt to use them, would be to continue an injustice which had already become apparent to him and to his attorneys.

Leaving the stand, Mr. Newett looked in the direction of Colonel Roosevelt, but the latter was whispering to his counsel. Attorney Pound then said:

"With the court's permission, the plaintiff would like to make a brief announcement." The judge nodded and Mr. Roosevelt arose. Bowing to the court, the colonel said he would waive the matter of damages save for the nominal amount provided by law. Speaking of his purpose in instituting the suit he said:

"I wished once for all during my life time to deal with those slanders so that never again will it be possible for any man in good faith to repeat them."

Recess Is Taken. Here a recess was taken. Judge Flannigan read his charge to the jury immediately after recess. Speaking of Colonel Roosevelt, said the plaintiff, Judge Flannigan said:

"Certainly he has convinced the court, not only that he never was drunk, but that he is now and always has been a temperate and abstemious man."

At the same time court held that Mr. Newett, in publishing the editorial, "was not actuated by actual ill will toward the plaintiff and that he acted in good faith."



"FORCE REPUBLICANS TO GET BUSY" SLOGAN ADOPTED BY DEMOCRATS ON THEIR NEW TARIFF SCHEDULES

Leaders of the Majority Party Are Anxious to Get Through with the Important Legislation—President Wilson Makes Important Appointment in Railway Mail Service—Day's News at the Capital.

WASHINGTON, May 31.—"Make the republicans work," is the slogan adopted by the democratic leaders of the senate in charge of the tariff legislation, who today predicted that the senate would vote on the bill by August 1.

Members of the finance committee declared that the bill would be out of sub-committees on June 9—that the full committee's report should be ready for the caucus by the following week and that the revised measure would be reported to the senate June 21.

Senator Hoke Smith, of Georgia, said that the senate should vote on the bill in the latter part of July. "We will keep the republicans, who want to discuss the bill, working, and we will keep at work ourselves from the very beginning," said the senator. "We will meet in the senate every day at 1 o'clock in the morning and keep at work until 6 o'clock at night. That will prevent the opposition from delaying the bill by playing with it. We will tire the republicans out of playing."

Fight Nears End. It was made evident today that the fight among the democrats on the wool and sugar schedules would be concluded in the caucus and that this would leave Senators Ransdell and Thornton, of Louisiana, and Senator Walsh to oppose the bill.

More positive than they have ever been before were the administration leaders today that the bill would come from committee and through party caucus with free raw wool and free sugar in three years unscathed. Amendments to these schedules will, of course, be offered on the floor of the senate and the democrats who will remain avowedly against the bill as it is reported, will be expected to vote for them. Even then the leaders assert the bill can be passed as President Wilson approves it, though it probably will require the vote of Vice-President Marshall, unless Senator Poindexter, the only avowed progressive in the senate, votes for the measure. In case all articles in the cotton schedule that may be classed

as luxuries are to be made by the senate finance sub-committee. Members of the committee admitted this today, asserting that expressive cotton table covers, table cloths of the finer grades and linens, all would be raised. One reduction in the cotton schedule will be made, the rate on cotton card laps, repins, silver being reduced from 19 to 8 per cent. On cotton yarns the duty, as to be increased 10 per cent, to be taken as the lowest rate, instead of 5, and the rate of the Underwood bill are to be increased from that basis upward.

Citrus Fruit Rates. The citrus fruit rate fight was said today to have been practically settled as the rates came from the house. Senator Johnston's sub-committee has not reached a decision on the advisability of putting a retaliatory duty on print paper from Canada, owing to Canada's restrictions on wood and wood pulp.

The agricultural schedule still is under debate. Some senators favor a duty on meats, flour and oatmeal instead of placing cattle, sheep, hogs and grains in free list. Members of the sub-committee are inclined to free list the raw materials, but they said today that the sentiment of the senate would be sounded further before final report on this question was made. President Wilson has been consulted, but his views of the matter have not been disclosed.

The sub-committee working on administrative features considered the possibility of amending the "anti-dumping" clause to take in articles on the free list and worked on a modification of the provision to compel foreign manufacturers to show their books to American customs agents. Several nations have protested against it. Neither the house nor the senate was in session.

Railway Mail Service. WASHINGTON, May 31.—Alexander H. Stephens was today appointed by Postmaster-General Burleson general superintendent of the railway mail service, vice Theodore Ingalls. Mr. Stevenson at present is district superintendent of the railway mail service at San Francisco. Mr. Ingalls will be appointed a district superintendent.

Go to Supreme Court. WASHINGTON, May 31.—The constitutionality of the Florida law of 1911 prohibiting the sale of the shipment from the state of immature citrus fruits is to be passed upon by the supreme court of the United States. S. J. Sligh, of Waycross, Ga., convicted of shipping immature oranges from Florida to Georgia, today docketed an appeal in the Supreme court.

ATLANTA MAN KILLS SELF. WASHINGTON, May 31.—After having swallowed the contents of a bottle containing poison, a man believed to be Frank P. Smith, of Atlanta, Ga., was found in a dying condition in Potomac park, south of the white house tonight. He died shortly after being rushed to a hospital. In his lodging house several letters indicating that his wife was in Atlanta, were found and the police, of that city were notified. His business could not be ascertained.

COAL FIELD INVESTIGATION. WASHINGTON, May 31.—The senate investigation of conditions in the strike district of the West Virginia coal fields got under way today. A subcommittee named of the education and labor committee, will begin the probe Monday and Chairman Swanson said every effort would be made to expedite the investigation.

CONGRESSMAN IS DEAD. BALTIMORE, May 31.—Representative George Koss, democrat, of the Third Maryland district, died of pneumonia at his home here this evening. He was 57 years old.

INVESTIGATION SHOWS "ECONOMY" OF LATE OFFICE-HOLDERS FAKE

Department Turns in a Report on the Hitchcock Administration.

BIG DEFICIT OCCURED

WASHINGTON, May 31.—Postmaster General Burleson today made public the report of a special investigation into fiscal affairs of the postal service, charging that during former Postmaster General Hitchcock's administration, the service did not become self-supporting, as was often asserted, but that in 1911 there actually was a deficit of more than \$750,000.

The report charges that "an apparent surplus was attained by unjustifiable methods of bookkeeping on the question and that the efficiency and morale of the postal service were sacrificed to a ruthlessly enforced policy of false economy" that a showing of self-maintenance might be made. The report attributes to that alleged condition the complaints made against the service.

Mr. Hitchcock, during his administration, and in his reports, claimed that in the year 1909 a deficit of approximately \$17,500,000 had entirely been eliminated and that in the fiscal year 1911 a surplus of more than \$200,000 was attained.

COMMITTEE CHOSEN TO INVESTIGATE THE CHARGES OF WILSON

Chairman Overman Heads List of Senators Who Will Make Clean Sweep.

LOBBYIST THE ISSUE

WASHINGTON, May 31.—The most searching investigation ever undertaken into the private affairs and business connections of members of the United States senate will be the outgrowth of the "lobby investigation," which is to open Monday morning before a subcommittee of the senate judiciary committee. While President Wilson's recent declaration that a powerful lobby is at work to influence action on the tariff bill forms the basis for the investigation, questions prepared tonight by the committee to be asked of each member of the senate are such as to carry the investigation far outside the tariff matters.

Each senator will be required to tell under oath whether he had any interest in any matter affected by any bill now before congress, or that has been before the senate during his term; and whether or not he has ever tried to influence any other senator to vote for a measure in which he was interested. Sub-committee Chairman Overman expressed the opinion tonight that the questions would require a statement by each senator as to any business interests he may have that would be affected by the tariff, currency or any other legislation.

Many members of the senate are openly associated with manufacturing, trading, live stock, field or farming corporations or interests and under the questions of the committee they probably will be required to give any such connections in detail, if the tariff would affect their business in any way. Senators Overman, Reed, Walsh Cummins and Nelson were selected early today by the judiciary committee to conduct the investigation. This sub-committee has decided to summon all members of the senate. Each will be put under oath and required to answer eleven formal questions and further questions that members may ask.

GOOD ROADS FEVER HAS STRUCK COUNTY OF DAVIE

Bond Issue of \$175,000 Has Landslide in the County. Warm Campaign.

LEXINGTON, N. C., May 31.—(Special)—Davie county carried a \$175,000 good roads bond issue today by over 600 majority. Every township in the county gave the bond issue a good majority. This puts Davie on the map among the foremost progressive counties in the state.

The campaign for good roads was led by Senator A. T. Grant, Jr., Jacob Stewart, J. H. Clement, Col. W. K. Clement, and T. J. Byerly, president of the Davie County Good Roads association.

BRISTOL JUMPS OUT OF APPALACHIAN LEAGUE

Could Not Stand for Fines Imposed Upon Manager Munson.

BRISTOL, May 31.—Because of the attitude of President Jacob Smith, of Cleveland, Tenn., in regard to fines imposed on Manager "Red" Munson and five of his players, by Umpire Harry Nickens, and because of statements in a letter from the president, which the local club considered as serious reflections upon it, Bristol tonight surrendered its franchise in the Appalachian league.

Simultaneously with the notification of the president, a message was sent to Middleboro, Ky., where the "Boo-ers" are scheduled to play Monday to the effect that they will not be there. The league of 1913 has been composed of Bristol, Knoxville, Cleveland, Rome, Ga., Middleboro, Ky., and Johnson City.

JAPANESE REPLY TO THIS COUNTRY IS EXPECTED SOON

Secretary Bryan is to Hear More About the Alien Land Act.

WASHINGTON, May 31.—Japan's rejoinder to Secretary Bryan's reply to the Japanese protest against the California alien land legislation will be submitted to the state department early next week, according to present plans. This was made known today without suggestion as to probable contents. Notwithstanding pressure from certain quarters at home, however, it is regarded as doubtful that the Japanese embassy has concluded to turn to a request for amendment of the American naturalization laws as a solution of the present issue.

The successful treatment by the Canadian parliament of complaints from British Columbia, of the competition of Japanese has attracted the attention of the negotiators on both sides in this country.

DOUBLE MURDER AT NEGRO DANCE HALL LATE LAST NIGHT

Two Negroes Were Instantly Killed on South French Broad Avenue

ALLEGED SLAYER MADE HIS ESCAPE

Jack Bruton Is Said to Have Fired When Companions Disobeyed Him

Ellis Austin and Susie Belle Copening, both colored, were shot and instantly killed last night shortly before 11 o'clock at a negro dance hall on South French Broad avenue, just east of Southside avenue, and members of the police and sheriff's departments are searching the city for Jack Bruton alias Jack Berry, colored, who is said to have fired the shots that resulted in the death of the two negroes. The alleged murderer made his escape just after the double murder and at an early hour this morning no idea was entertained as to his whereabouts.

The dance hall, it is said, is conducted by Frank McGee, colored, and Cal Williams colored, and each night dances are held at the building. The structure is arranged in such a manner that the dancers purchase tickets just before entering the door, and opposite the door is a counter at which soft drinks are sold. According to witnesses of last night's tragedy Bruton went to the dance hall with the Copening woman. After she had purchased her ticket, it is reported, he asked her not to go into the hall, stating that he had decided that he did not care to dance. She is reported to have thrown open the door in an effort to enter the room and the other negroes was at the counter opposite the door drinking. Bruton, seeing that his companion was entering the room over his protest, it is stated, whipped his pistol from his pocket and fired at her. The bullet missed its mark but struck the negroes at the counter, entering her left eye, and she died without knowing what killed her. Seeing that he had slain one of the patrons of the dance hall Bruton is said to have become enraged and cursed the Copening woman, swearing that he would kill her for her action in going into the room. Before she could close the door—in less time than one can tell of the killing—he is said to have shot again, the bullet this time taking

KERR WILL SECURE POSTOFFICE AT CANTON WITHOUT ANY DELAY

Matter Has Now Been Settled to Satisfaction of All it Seems.

EN ROUTE HOME

(By George H. Manning.) WASHINGTON, May 31.—(Special)—The charges made against D. J. Kerr, who was recommended by Congressman Gudgeon for postmaster at Canton have been "thrown out" by the postoffice department and Kerr will be nominated by the president in a few days.

Kerr arrived here today and with Congressman Gudgeon called on Postmaster General Burleson and carefully went over the numerous charges that Kerr was not a naturalized American citizen; that he was not the choice of the patrons of the office and several other charges of a more serious nature proffered by F. M. Davis, F. K. May, J. F. Daily, T. F. Reynolds, E. J. Smathers and Rev. H. A. Smathers, of Canton.

Kerr previous to the time of filing the charges was under the impression that he was an American citizen and since that time has filled all the requirements. Investigation has shown that the other charges against him could not be substantiated. The impression given at the postoffice department today was that Kerr will now be appointed without delay. He left for Asheville tonight.

Congressman Stedman returned here today and called at the postoffice department to see why almost all the North Carolina postmasters have been nominated, except in his district where all of the thirteen recommended by him only one has been nominated. He could learn of no special reason for delay except at Reidsville where Simmons is making a fight against Oliver who was named by Stedman. Several nominations will be made in Stedman's district Monday.

Norway, June 24; Sweden, August 15; Portugal, November 14, and Switzerland, December 14.

THE WEATHER. WASHINGTON, May 31.—Forecast for North Carolina: Unsettled Sunday; probably local showers; Monday fair, light to moderate variable winds.