

JUDGE SHAW REFUSES BAIL FOR O. G. THOMAS

The Testimony Was all in by 1:20 O'clock, but Judge Shaw Reserved His Decision Until 2:30.

THE TESTIMONY OF GLOBIE LAWING

Thirteen Year Old Girl, of Kannapolis.—Saw the Shot Fired as Man Was Walking Away, She Said.

(Special to the Tribune.) Judge Shaw refused bail for O. G. Thomas.

(Special to the Tribune.) Charlotte, Nov. 1.—Judge T. J. Shaw this afternoon denied the application for bail filed by attorneys of O. G. Thomas, who is held in connection with the killing of Arthur J. Allen, in Kannapolis on the night of October 25.

Thomas was placed in the custody of the sheriff to be held for trial before Superior Court. Judge Shaw told the attorneys for Thomas that he would give them an opportunity later to answer the testimony in the affidavit filed by Globie Lawings, a Kannapolis child, who was brought out at the hearing today for the first time.

Charlotte, Nov. 1.—O. G. (Red) Thomas, of Charlotte, was given a hearing here this morning on habeas corpus proceedings, brought by his attorneys in an effort to secure bail for him, in connection with the killing on October 25th, of A. J. Allen, of Concord. The shooting occurred in suburbs of Kannapolis.

The court room was filled to capacity with persons from this city where Thomas was shot, and also many people from Concord and Kannapolis, friends and acquaintances of both Allen and Thomas.

Practically the same case was heard at the hearing today as appeared before the coroner July 19 in the inquest after the shooting on last Tuesday night. However, one new witness, with striking new evidence was presented by the State, Miss Globie Lawings, of Kannapolis.

Judge T. J. Shaw, after hearing all the evidence presented, stated the attorneys that he would render his decision immediately upon the convening of court at 2:30 o'clock. The court recessed about 12:45 o'clock.

All the testimony was turned in about 1:20. Judge Shaw will reserve his decision until after court convenes after lunch at 2:30.

An affidavit made by Globie Lawing, of Kannapolis, daughter of E. E. Lawing, who said:

"My name is Globie Lawing. I was 13 years old last April. I was up at Mr. Setzer's last Tuesday night, October 25, 1921. I had been there about half an hour when I heard a car stop outside in the street. I looked out the window and saw the car. I went into Mrs. Setzer's room and it was 15 minutes till light. I told Carrie I had to go. I saw the big car when it stopped, and I looked out of the window. The lights were on the car. They left the lights on and cut off the engine. She went on the porch at 7:45, and as she got on the porch a sedan passed the house going south. The car was running fast. The big car was standing by the road when the sedan passed. The big car was standing on the east side of the road right where the road comes into the road in front of Mr. Setzer's house. When the sedan passed someone in the big car hollered. The sedan passed down the road a short distance and stopped. Two persons got out and came back toward the big car. They had turned out the lights on the sedan, and came back to the big car. They got out on the right side of the sedan. One man and a boy in knee pants, or a woman. The smaller person had on a short loose coat or overcoat. I could not tell whether the small one was a man or a woman.

When coming to the big car they walked side by side, the smaller one on the right side. They were walking pretty fast. Both of them came to the right side of the big car and stood there and talked. I heard the door of the car shut, but never saw the little one any more. They were talking a few minutes and then I heard the door shut. The man walked a few steps like going back to the car, and aistol was not from the car. The man walked around right quick toward the car, and two more shots were fired. The car started just about the time the last shot was fired. The man put his hand on his breast, started, and said "O Lord!" and fell. I heard them standing there talking about five minutes before the shooting began. They were not talking like they were mad. I never saw where the small one went; never saw anyone leave the car. The door of the car slammed back about the time the man started back toward his car. I did not see anyone run from the car. After the man was shot he staggered about five steps before he fell.

I was about 20 to 30 steps from the shooting.

The average life of woman has lengthened by four years during the last quarter of a century.

MARSHAL FOCH ENTERS AMID WILD CHEERING

Principal Guest of Honor Today at the American Legion Convention Hall in Kansas City.

FULL TEXT OF THE SPEECH HE MADE

Was Preceded by a Guard of Honor of American ex-Soldiers, Holders of the Medal of Honor.

(By the Associated Press.) Kansas City, Mo., Nov. 1.—Marshal Foch, principal guest of honor of the day, entered the American Legion convention hall from the side entrance and went to his box amid cheering just as the convention was called to order today. He was preceded by a guard of Americans, holders of the Congressional medal of honor.

The Marshal's Address. Kansas City, Mo., Nov. 1.—Following is the text of Marshal Foch's address before the American Legion convention:

"Officers, non-commissioned officers and soldiers of the great ex-soldiers army:

"My dear comrades of the American Legion:

"I cannot tell you how great is my satisfaction at finding myself amongst you, valiant soldiers of 1918, to live again our glorious memories. Three years ago, on the first of November, 1918 the entire American army in France took up vigorously the pursuit of the defeated enemy and did not halt until the German surrender.

"Hour of glory for the American army, a proper culmination for a military effort, prodigious alike in its intensity as its rapidity. One and all, you have had your share in it. You may well be proud.

"In responding in mass to the call to arms of your government, in equipping, training and organizing yourselves as rapidly as possible you had in view only the purpose to take your place as soon as possible in the line of battle.

"The declaration of war by the United States on Germany, the American army had passed from effective of 5,500 officers and 125,000 men to 180,000 officers and 3,500,000 men.

"Effort of organization: in the month of March, 1918, you had in France but six divisions, six months later you had 41, of which 31 engaged in battle.

"Effort in instruction: in order to have officers, non-commissioned officers and men rapidly trained, you multiplied in America as in France, your schools and camps, which became centers of prodigious activity.

"In order to arm you and equip you the American manufacturers worked without respite and supplied all your needs.

"Admirable effort also in transportation: you swept away every obstacle which interested with bringing your units from the centers or instructions to the ports of embarkation.

"In France, you improved the ports of embarkation, created new installations, increased the traffic of the railroad system by work of all kinds and multiplied your storehouses and hospitals.

"Your shipyards were organized for intensive production in such a way that when the war ended you utilized for your ocean transportation almost four millions of marine tonnage, instead of 94,000 available at the beginning of the war.

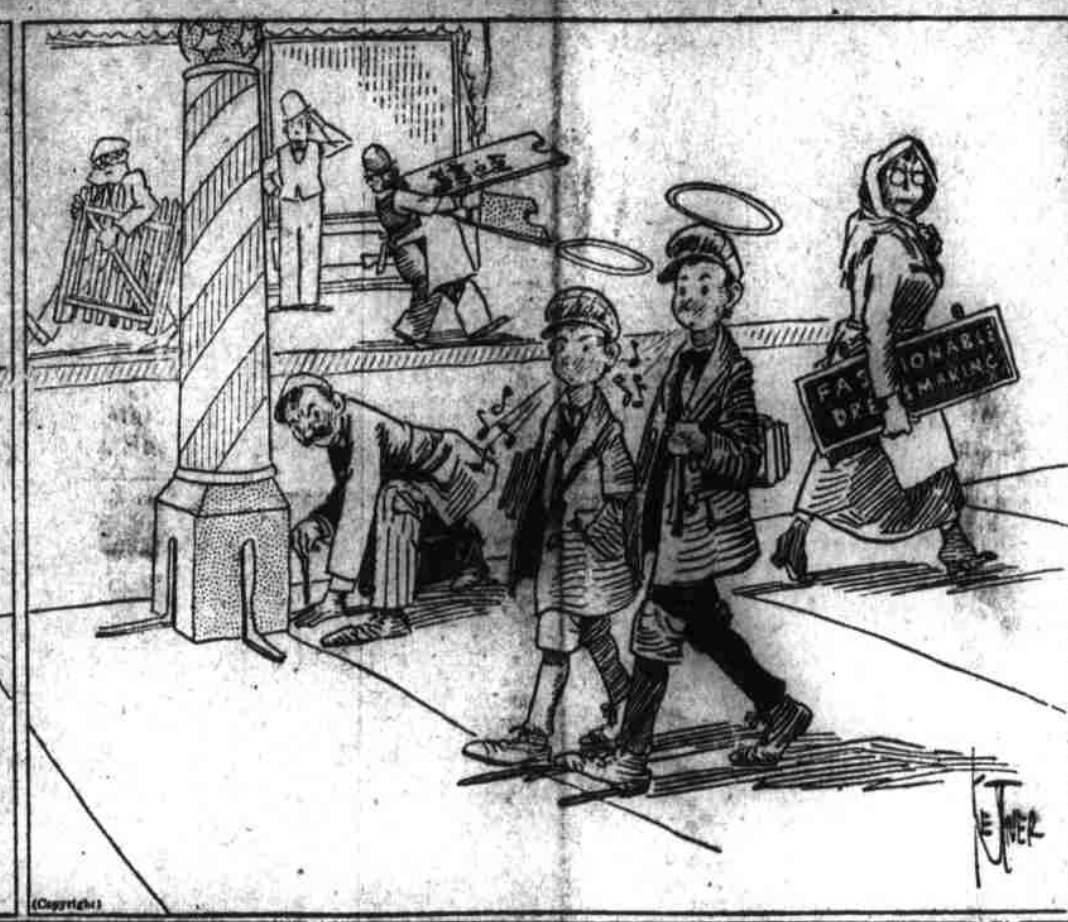
"And meanwhile your splendid war fleet, thanks to its vigilance and its fine military qualities, protected with an efficiency to which I am happy to pay tribute here, the transportation of your troops and material.

"A prodigious effort on the part of your entire nation's intelligence, will power and energy. A prodigious effort which has filled your associates with admiration and gratitude and confounded your enemy.

"This splendid spirit of an entire nation we find again on the battlefields of France, where it was hallowed in the admirable virtues of bravery and heroism.

"It was the spirit of the second and third American army divisions which, one month later took part in the battle of the Marne in distinguished themselves immediately in operations around Chateau Thierry and in Belleau wood. Again it was the spirit of those five divisions which on the eighteenth of July participated in the victorious counter offensive of the tenth (Concluded from page one)

All Saints' Day



POPE RECOGNIZED SOUTH DURING WAR

Important Paper Carried to Confederate Reunion By Dr. D. A. Long, Chattanooga News.

Among the most important historical documents in the city brought by the veteran visitors is in possession of Dr. Daniel Albright Long, of Raleigh, N. C., who is a guest of C. V. Brown. It is a letter written by Mrs. Jefferson Davis in 1863, stating that the pope had recognized the Confederacy. The manuscript is faded and torn and Dr. Long keeps it in a safety deposit box at home. He allowed a representative of The News to see and copy it. The letter is as follows:

"Dear Sir—You are quite right about the recognition his holiness, the pope, gave to the Confederacy, and Mr. Davis' book, 'The Rise and Fall of the Confederacy,' published by the Messrs. Appleton gives the veritable account of it; and also, I think, the text of the letter he wrote.

"Yours respectfully, "Y. JEFFERSON DAVIS, "The Marlborough, New York City, Jan. 30, 1863.

When Dr. Long received the above from Mrs. Davis he called on her at the Marlborough and, informed her that he had read 'The Rise and Fall of the Confederacy' with great care and that Mr. Davis did not mention the recognition of the Southern Confederacy by the Roman pontiff. Upon a moment's reflection Mrs. Davis said that she believed Mr. Davis, for prudential reasons, had omitted its publication.

At the request of the Confederate soldiers of Cabarrus county, North Carolina, Dr. Long has prepared an address on the place of Jefferson Davis in history. It was unanimously adopted after its delivery at Concord, N. C.

When the Confederate veterans of the State of North Carolina assembled at Durham last August Senator Pat Harrison, of Mississippi, was assigned to address the veterans of the State. He failed to come. Dr. Long was chosen to speak in his place. He did so. The speeches of Chief Justice Clark, Hon. C. M. Stegman, of Congress, and the Harrison, of Mississippi, was assigned to address on the place of Jefferson Davis in history. It was unanimously adopted after its delivery at Concord, N. C.

Since the arrival of Dr. Long in Chattanooga it has been decided by the Confederate veterans of the South to refer his speech to a select committee of able lawyers for special examination, and if approved to be published for the instruction of the children in all the schools. Said address has already been examined by some of the ablest lawyers and heartily approved.

Among the letters he has one from Chief Justice Walter Clark, of the Supreme Court of North Carolina, and Justice W. A. Hoke.

An Unemployed Soldier Falls Heir to \$50,000.

(By the Associated Press.) Youngstown, Ohio, Nov. 1.—While working in the parks here as one of the city's unemployed, C. P. Virtus, 28, former Canadian soldier, received a letter from a trust company of Monticello, Conn., informing him he has become heir to his father's estate, valued at between \$40,000 and \$50,000.

The letter said a will leaving the property to Fiske University, Nashville, Tenn., had been found, but as the will had not been witnessed, it was regarded as invalid under the Canadian law.

Mr. J. T. Dry, who for the past week has been in a Danville hospital, arrived home last night. He will return to Danville tomorrow to receive further treatment. His condition is much improved.

The condition of Mrs. J. H. Teeter, who is in the Presbyterian Hospital at Charlotte, is reported as being somewhat improved.

SUCCESSOR TO WHITE AS CHAIRMAN MAY BE SELECTED

Breckenridge Long, of Missouri, is Said to Be Acceptable.

(By the Associated Press.) St. Louis, Nov. 1.—Indications this morning were that a successor to George White as chairman of the Democratic National Committee, might be agreed upon by the various party elements before the committee meets at noon.

Breckenridge Long, of Missouri, and Washington, D. C., former third assistant secretary of state, was said to be acceptable, but his selection is contingent upon the resignation of Edward F. Goltra, committeeman from Missouri.

A Later Disposition Than to Be Made

St. Louis, Nov. 1.—Cordell Hull, of Tennessee, will be chosen chairman of the Democratic National Committee this afternoon at the residence of George White, of Marietta, Ohio. It was announced following the refusal of Edward F. Goltra, committeeman from Missouri, to resign to make way for Breckenridge Long, of St. Louis and Washington, D. C. Mr. Long and Mr. Hull were the only two, all factions agreed upon for the chairmanship.

THE COTTON MARKET.

Quiet During Early Trading.—Prices Off from 6 to 8 Points.

(By the Associated Press.) New York, Nov. 1.—The cotton market was very quiet during today's early session. An opening advance of 2 to 9 points was a poor response to relative firm cables, because of further liquidation by tired longs with Wall Street and western selling. These offerings were comparatively small however, and after selling off to 18.14 for January and 18.07 for March, or about 6 to 7 points net lower, the market steadied on covering.

Cotton futures opened steady: December 18.37; January 18.32; March 18.20; May 17.81; July 17.35.

Fleer's Body to Be Taken to Lansdowne.

(By the Associated Press.) Thomasville, Nov. 1.—Arrangements for the funeral of Frank H. Fleer, 64 years of age, a wealthy chewing gum manufacturer of Philadelphia, who died at a hunting lodge three miles from Thomasville at 6:30 yesterday afternoon will not be completed until the arrival here late today of his sister and other relatives from Lansdowne, Pa. It was stated at Fleer lodge today that the body would probably be taken to Lansdowne, Pa. Mr. Fleer's old home, where the funeral services would be held and the interment probably will take place at Philadelphia.

Why Federal Reserve Bank Pays High Salaries.

(By the Associated Press.) Washington, Nov. 1.—Defending its action in increasing the salaries of employees of the New York Federal Reserve Bank, the Federal Reserve Board, replying today to a Senate resolution of inquiry, declared the advances were made "in order to retain the officers who are constantly being tempted with outside offers at high salaries."

Delegates for Disarmament Conference Arrive.

(By the Associated Press.) New York, Nov. 1.—Delegates to the conference on the limitation of armaments from Great Britain, Italy and China, arrived in American waters today on the Olympic and are expected to land this afternoon.

Want Widow To Share in Estate of \$50,000.

Charlotte, Oct. 31.—John Garibaldi, of this city, who died last week, left an estate of \$50,000 to his son, Joe Garibaldi, and grandson, Ernest Deatley. They waived all rights except such as would give the widow an equal share.

HEARING IN THE THOMAS CASE AT CHARLOTTE TODAY

Writ of Habeas Corpus to Be Heard Before Judge T. J. Shaw.

The scene of interest in the case of O. G. (Red) Thomas, charged with the killing of Arthur J. Allen, master plumber of this city, in Kannapolis, last Tuesday night, shifts to Charlotte today, where by habeas corpus writ Thomas hopes to get his freedom by bail, pending his trial in Cabarrus County Superior court in January.

Quite a number of Concord and Kannapolis people went to Charlotte today for the hearing. Some of them were summoned as witnesses by the State and defense, but a majority of them went merely to hear the evidence and to determine personally what action Judge T. J. Shaw would take on the matter. Allen was very popular both in Concord and Kannapolis and while Thomas is not known so well here, or liked so well as the dead man, he too has many friends in the county, and the outcome of his proceedings to obtain bail is the one topic of conversation in Concord today.

The hearing in Charlotte today follows action by Manness & Armfield, attorneys for Thomas, taken last Thursday when they asked for the habeas corpus hearing after Solicitor Hyndman had refused to agree to bond. The hearing was first set for last Friday in Gastonia, but the State at that time informed Judge Bis Bay that it was not ready, and at the suggestion of attorneys for the State, the hearing was set for today before Judge Shaw in Mecklenburg county Superior court. The hearing was set for 11 o'clock.

ELEVEN FISHERMEN SAID TO BE DROWNED

Boat Upset in Storm on New Jersey Coast.—Two Bodies Washed Ashore.

(By the Associated Press.) Angelsea, N. J., Nov. 1.—Eleven fishermen are believed to have been drowned by the upsetting of a small open motor boat in the southeast storm that prevailed along the New Jersey coast yesterday. One fishing boat is missing. The sea tragedy was not discovered until two bodies were washed ashore near Coal Spring Coast Guard Station and the finding today of the upturned boat.

The two boats left Angelsea yesterday in the teeth of the rising storm for the fish banks about ten miles off the shore.

During one week the police in London have arrested more than a score of women on charges of being book-makers and proprietors of betting establishments.

BOMB EXPLODES IN THE AMERICAN CONSULATE

At Lisbon This Morning.—Serious Damage Was Done—Due to the Sacco and Vanzetti Case.

INVESTIGATION IS TO BE MADE

Consul General Hollis Confirms the Story.—Bomb Placed Before the Doors of the Consulate.

(By the Associated Press.) Lisbon, Nov. 1.—A bomb exploded this morning on the staircase of the American consulate here. No damage was done, however. The police attribute the outrage to the agitation in connection with the cases of Sacco and Vanzetti, Italians, under conviction of murder in Massachusetts.

Consul General Hollis Confirms Story.

Washington, Nov. 1.—A dispatch from Consul General Hollis at Lisbon received early today at the State Department, reported the bomb explosion in the consulate there. The General said the Portuguese government is investigating energetically and would make efforts to apprehend those responsible for the affair. Only trifling damage to the building was reported. The message said a note protesting against the conviction of Vanzetti and Sacco in Massachusetts was placed beneath the door of the consulate and a few moments later the explosion occurred.

The bomb, which apparently was some foreign form of grenade, had been placed before the door of the quarters of the American consulate. It appears that it exploded after the consul, in leaving the quarters had given the grenade a push with his foot, but the interval was sufficient to give him time to escape.

Investigation of Threats Made by the Radicals.

Washington, Nov. 1.—An investigation has been instituted by the Department of Justice into threats being made by radicals in connection with the case of Sacco and Vanzetti, Italians, convicted in Massachusetts of the murder of a mill policeman.

MILK WAGON DRIVERS IN NEW YORK ON STRIKE

Eight Million People Without Milk and Cream.—Open Shop Polley Put Into Effect.

(By the Associated Press.) New York, Nov. 1.—Approximately 8,000,000 people in New York and surrounding cities found no milk and cream on the dumb waiters or at their back doors this morning. The milk wagon drivers were on strike for a wage increase of \$5 a week and an annual vacation of two weeks with pay. The distributing corporations gave notice of their determination to put the open shop polley into effect and advertised for men to take the strikers' places.

Milk and cream by the millions of quarts are piled up at the railroad terminals. Distributors and the city health authorities worked hard to keep the supplies moving to the hospitals and invalid homes.

MINERS ON STRIKE.

As a Protest Against Injunction Issued Monday by Judge Anderson.

(By the Associated Press.) Athens, O., Nov. 1.—Between 275 and 300 non miners employed at Mine No. 26 of the New York Coal Company at Floodwood, this county, went on strike this morning as protest against the checkoff injunction issued by Judge Anderson in Federal court at Indianapolis.

The strike, as far as learned here, was not authorized by any officials of the United Mine Workers of America and was instituted by local miners on their own account.

Mr. and Mrs. Robert P. Jarvey have arrived from Camp Dix, N. Jersey to spend some time with the latter's father, Mr. W. H. Smith.

CHARGES ARE TO BE INVESTIGATED

Senator Tom Watson Charged American Soldiers Were Hanged Without Court Martial or Other Trial.

HE WILL BE ASKED TO PRODUCE PROOF

The Matter Precipitated a Heated Debate in the Senate Today.—Photograph of Alleged Hanging.

(By the Associated Press.) Washington, Nov. 1.—Investigation by a special commission into charges by Senator Watson, democrat, of Georgia, that American soldiers in France were hanged without court martial or other trial was ordered today by the senate. The committee will be appointed by the President of the senate and Senator Watson will be invited before it to produce proof.

The special committee as named by Senator Cummings of Iowa, president pro tempore of the Senate, will be headed by Senator Brandegee, republican, of Connecticut and will consist of Senators Ernst, republican of Kentucky; Willis, republican, of Ohio; Overman, democrat, of North Carolina and Pomerene, democrat, of Ohio.

Senator Watson replied that he presented the "demand" and would "tell him foot to foot and shoulder to shoulder" that he was "the equal of any senator" and assumed full responsibility for his charges. He said he would refuse to go before any committee for his evidence, or produce his witnesses unless they were guaranteed immunity.

"I mean every word I say," he added, "and I did not overprint the picture. I have a photograph of the gallows upon which the soldiers were hanged, and I can produce witnesses who saw it if it is safe for them to appear."

"A picture of white men hanged like dogs! I can produce men, if it were safe, who saw men shot without a trial. I cannot compet me to come here and judge the danger. I say that food was piled up in mountains in France and virtually given to the French when our men were starving. I can prove our men were unnecessarily exposed and left to die by the road. I know ex-servicemen who saw these things and told me about them. They told me how letters were censored to conform to regulations and how soldiers who would not comply were subjected to barbarous treatment. These men will not go back to Europe to fight. I have heard them say they would die first. The men were treated inhumanly."

Senator Watson, while stating his refusal to produce the evidence before the Senate military committee, said he would go before another "an impartial committee."

Senator Leacock, republican, of Wisconsin, characterized the Georgia Senator's charges as "monstrous" and declared that he discredited the impartiality of prominent democrats on the military committee as well as the republicans, in refusing to appear before that body.

Senator Wadsworth vigorously contended the truth of Mr. Watson's charges.

Charges Cause Heated Debate. Washington, Nov. 1.—Charges by Senator Watson, democrat, of Georgia, that American soldiers serving in France were hanged without court martial or other form of trial precipitated heated debate today in the senate. Chairman Wadsworth of the military committee invited the Georgia senator to appear before his committee to produce evidence in support of his charges.

Senator Watson produced a small photograph of an alleged hanging and insisted his charges were true. Senator Borah, republican, of Idaho, said he had examined the photograph and had been told by two former service men that the charges were true, but he was "unwilling to proceed on such evidence."

"How many senators know," Senator Watson had asked, "that private soldier was frequently shot by his officers because of some complaint against the officers' insolence; and that they had gallows on which men were hanged day after day, without court martial or any other trial? I had and have the photograph of one of those gallows upon which 21 white boys already had been executed at sunrise when the photograph was taken; and there were others waiting in camp for their gallows in the morning after morning."

Senator Watson declared this charge could not be "lightly brushed aside" nor "excused on the ground of excitability in debate." He demanded that Senator Watson produce the proof.

Duelists to Enjoin Dougherty.

(By the Associated Press.) Washington, Nov. 1.—Justice Hills, of the District of Columbia Supreme Court, declined today to enjoin Attorney General Dougherty, United States Marshal Spain and others from serving subpoenas or other legal process on the National Coal Association, and John P. A. Morrow, its vice president to answer an indictment returned against plaintiffs and 120 others in Indianapolis for conspiracy to violate the Sherman anti-trust law.

Out of every million of the world's population sixty-four are blind.

IT PAYS TO LOOK AHEAD

Look ahead, plan for the future, by taking Building and Loan stock in our NEW SERIES which is NOW OPEN. There is no friend like "ready money" when sickness, trouble, or old age comes. This world is a hard place for those without money.

BUILDING AND LOAN is a NEVER-FAILING friend.

Citizens Building and Loan Association (Office in Citizens Bank)