VOLUME LVIII, NUMBER 17.

NEWBERRY, S. C., TUESDAY, FEBRUARY 28, 1922.

TWICE A WEEK, \$2.00 A YEAR

REACH AGREEMENT ON GASOLINE TAX

BOTH HOUSES ADOPT FREE CONFERENCE REPORT

No Provision on Kerosene and Onehalf for Roads in Several Counties

The State, 23.

embodies the senate amended bill. lars, or miprisonment not exceeding The report provides for two cents a ten (10) days. gallon tax on gasoline, "combina-

after the gasoline is within the state. iginally sold, consigned, used, shipped The tax is to be equally divided, one- or distributed by such oil company half for general state purposes, and within this state, but nothing in this one-half to the counties for the main- act should be construed to impose tenance and construction of roads.

Young, Kennedy and Stabler and Rep- consigning, shipping, distributing or resentatives Hughes, Wannamaker using any of said gasoline, combinaand McKay. Their report, which tions thereof or substitutes therefor will be the law, if signed by the gov- which may have been bought from, ernor, is as follows:

sert in lieu thereof the following: 'A act which has paid the tax as herein bill to impose a license tax upon the imposed, nor shall this act be held to business of dealing in gasoline, com- apply in cases of interstate commerce. binations thereof, and substitutes therefor, when sold in this state.'

lieu thereof the following: "Section 1. That every oil com- South Carolina tax pany doing domestic or intrastate following:

To Tax Commission "Sec. 2. That every oil company "Sec. 6. The term 'oil company' as ing the previous month and shall at of sale within the state.

a record of all gasoline, combinations be a first lien in all cases whatsoev- erty in the entire state. make a false or fraudulent return, nothing contained herein shall be this act are hereby repealed. viction shall be subject to a fine of der the provisions of this act shall be governor."

not less than one hundred (\$100) dollars, or imprisonment of not less than thirty (30) days: Provided, That every dealer subject to a tax under the provisions of this act shall report to the South Carolina tax commission within five (5) days after the date this act goes into effect a true statement of all gasoline, combinations thereof or substitutes therefor which such dealer has or had on hand at the close of the day preceding the date this act shall go into effect, and Both houses yesterday adopted the failure to make such report shall be free conference report on the gaso- deemed a misdemeanor, punishable line tax bill, which to a large extent by fine of one hundred (\$100) dol-

"Sec. 4. It is hereby declared to tions thereof or substitutions there- be the intent and purpose of this act for, sold or consigned, used, shipped to impose a tax upon every oil comor distributed for the purpose of sale pany engaged in domestic or intrawithin this state." Under the terms state commerce or business within the of the report no tax is levied on ker-schedule provided in Section 1 of this act, at the rate therein specified, The report does not make the tax where such gasoline, combinations apply to interstate commerce, but thereof or substitutes therefor is orsuch license tax upon any selling The conferees were Senators agent, consumer or retailer, selling, consigned by or otherwise bailed by "Strike out all of the title and in- any oil company as defined in this

"Sec. 5. The commissioner of agriculture, commerce and industries "Amend further by striking out all shall at such times in such forms as after the enacting words and insert in may be specified by the South Carolina tax commission certify to the commission the

business within the state and engag- "Names of all consignors of gasoing in the business of selling, consign- line, combinations thereof or substiing, using, shipping, or distributing tutes therefor, when the said prodfor purposes of sale within this state ucts are consigned to a resident oil any gasoline or any substitutes there- company; the names and address of for, or combinations thereof, for the each consignee of an oil company and privilege of carrying on such business the quantity and kind of such prodshall be subject to the payment of a ucts so consigned. Provided, that such licence tax, which tax shall be meas- information shall be in the possession ured by and graduated in accordance of, or on file in the office of the dewith the volume of sales of such oil partment of agriculture, commerce company within the state. Every such and industrits and to the extent such oil company shall pay to the state information shall be in the possession treasurer an account of money equal of, or on file in the office of the deto two (2) cents per gallon on all partment of agriculture, commerce gasoline, combinations thereof or and industries and to the extent such substitutes therefor, sold or consign- information is not in possession of ed, used, shipped or distributed for said department and not required to the purpose of sale within this state. be there kept, no such report shall be required.

subject to the tax provided for in used in this act shall mean and be Section 1 of this act shall on or be- held to include any person, firm, corfore the 20th day of each and every poration, company, partnership, or asmonth make out and file with the sociation engaged in selling or in con-South Carolina tax commission a re- signing, using, shipping, distributing turn under oath in such form as may for purposes of original sale within be prescribed by the said South Car- this state, gasoline, combinations olina tax commission, showing the thereof or substitutes therefor, as number of gallons of gasoline, com- specified in this act. The term 'orbinations thereof or substitutes there- iginal sale' shall mean the first sale for which have been sold or consign- of such products or the first distribued, used, shipped or distributed for tion, transfer, consignment, or bailpurposes of sale within this state dur- ment of such products for the purpose

the same time remit to the state treas- "Sec. 7. The South Carolina tax urer the amount of the tax provided commission shall, as soon as practiby this act. And every such oil com- cable and before the 25th day of each pany shall keep a record or records month, certify to the state treasurer showing all purchases and disposithe names of all persons, corporation paid into the state treasury, one-half tion of all gasoline, combinations tions, partnerships, and associations of which shall be credited to the genthereof, or substitutes therefor, and liable to pay the tax herein proxided, eral fund as used for defraying the Miss Edna Berry and James Cole- All day yesterday the select comsuch records shall at all times be sub- together with the postoffice address ordinary expenses of the state govern- man were united in marriage at the mittee bill and the ways and means ject to inspection by any agent of and the amount of the tax, and if the ment, and the remaining half of all parsonage of the Rev. J. E. Meng committee measure were furiously dethe South Carolina tax commission or said tax has not been paid when the moneys collected under the provisions Wednesday, Feb. 22. the department of agriculture, com- state treasurer receives such certifica- of this act shall be distributed to the Miss Berry is the charming daugh- means committee bill were Senators, tion, he shall issue a warrant or ex- counties to be used exclusively for ter of Mrs. Berry of Saluda county. Padgett, Johnstone, Beasley and Mil-"Sec. 3. If any oil company shall ecution directed to the sheriff of the the construction or maintenance of Mr. Coleman is the son of Mr. Joe ler and for the select committee bill amendment of the senate to the J. O. that Mr. Holmes and his interesting fail to make the required monthly re-county, or his lawful deputy, in which roads. Such distributions among the Ben Coleman, also of Saluda county. Senators Hart, Ragsdale, McColl, Williams cutout bill providing for the family are to leave the church and turns or shall fail to pay the taxes the delinquent taxpayer resides or counties shall be made by the state. This young couple have a host of Young, Bonham, Black and Williams. use of spotlights when the lights are the community; and in this hundreds herein provided, the South Carolina where his business is conducted. The treasurer before the 10th day of Jan- friends who wish them all the happitax commission shall make a return sheriff to whom such execution is di- uary, April, July and October of each ness and success that is due them. for such delinquent oil company upon rected shall proceed to enforce same year, the amount distributable on acsuch information as may be reason- in the same manner provided by law count of the collection of the pre- HAL KOHN WILL GIVE ably obtained, assess the tax thereon, for the enforcement of an execution ceding three months being paid to YOU FIRE ALARM CARD commerce and manufactures in the ences in the bill. add a penalty of 10 per cent to the issued by a county treasurer against each county treasurer in such manner. Some time ago The Herald and form of a substitute bill to eliminate. amount as assessed, and certify the a delinquent taxpayer. That the taxes that the amount received by each News printed some fire alarm cards useless matters from the house bill, rent resolution providing for the tion ratified at this and former sessame to the state treasurer, and if and all penalties herein provided for county shall bear the same ratio to for Hal Kohn. Mention was made of those promoting the measure said. printing of the report of the survey sions. such tax and penalty is not paid to shall be held as a debt payable to the total amount distributed as the this, at the time. Hal states that he Senators Young, Pearce and McGee made by the committee on mental. Senators Moore and Robinson inthe state treasurer on or before the state by the party against whom the amount of the assessed value of prop- wants every home in the fire limit to were named on the free conference to hygiene. The report will be placed troduced a joint resolution to authorfirst day of the following month, or same shall be charged, and all such erty in such county bears to the total have one of these cards and will be the J. O. Williams cutout bill, the upon the desks of the members.

GIVEN TO GROSS

CHRISTENSEN AS CHAIRMAN

Warm Speeches Against Statement of Beaufort Senator. Resignation Accepted

Following dramatic speeches by Senators McColl, Bonham and Hamilton in which they strongly resented what they termed implications, if not charges, brought by Senator Christensen in his resignation, that "business had won in the senate," the senate vesterday accepted the resignation of Mr. Christensen as chairman of the finance committee and then elected Senator H. H. Gross of Dorchester to succeed him as the leader of the most important senate committee. The Beaufort senator made it plain that he would insist on his resignation.

Senator Gross was the second ranking member of the committee. Senator Johnstone of Newberry being the ranking member, but he declined to serve, telling the senate that he did not feel that he could bear the work regardless of the honor and pleasure it would bring to him to lead the

After the morning session had gone for about an hour, Senator Johnstone called the resignation of Mr. Christensen to the attention of the senate, declaring that Senator Christensen

Exception to Words

Senator McColl of Marlboro took exception to the language used by Mr. in high responsibility. He said the der fire." chairman should withdraw.

went into an explanation of how the grets prevailed.

on the part of Mr. Christensen he senate.

if such oil company shall fail to keep taxes, penalties and assessments shall amount of the assessed value of prop- glad to give them to any home re- house refusing to adopt the senate A ratification session was held at John de la Howe industrial school to

quired by this act or shall wilfully charged therewith. Provided, that inconsistent with the provisions of is easily found, so that when the fire 200 yards from an approaching ve-

thought the only thing to do would be to demand the resignation of Mr. Christensen if he had not resigned. Senator Bonham said when such discord arose in a committee it was time to seek a new leader and that he thought there was more than one good mind in the senate.

Not For Business

Senator Johnstone said he refuted the statement Monday night that business had won over agriculture and that Mr. Christensen had said that he The State, 24. sib'lity on Mr. Christensen.

had been won by business.

a source of regret to him that Mr. L. Smith, Jr., "nay." third time in four years that the sen- the senate, made unwisely, ill advised its way with the senate.

ing to the senate was unjustifiable McColl, Bonham and Hamilton, Sena- olina law and provides that the tax tracts" had already been made. and not true and put the senate in an tor Hart declared he did not want to commission shall enforce it. Every The general appropriation bill of The governor heard parties interand not true and put the senate in an experimental and person paying a tax to the federal the ways and means committee was ested in the university trustee bill improper and laise light beloff the detection accepted. It said government will make a copy of the sent to third reading upon notion of and the Gerald arbitration bill yespeople of South Carolina. Mr. McColl and the did not believe that the return to the federal government afsaid because the senate failed to agree work and he did not believe that the return to the federal government afSenator Gross, chairman of the finterday. He heard a number of parwith the finance committee or the defeat of any of the tax measures was ter this year, but for 1922 only an ance committee. The bill is still in ties interested in both measures. The with the mance committee of the defeat of any of the tax measures. The chairman was no reason why the a repudiation of the chairman of the affidavit is required as to what was the hands of the finance committee, chief executive is inclined to veto the finance committee.

withdraw on the eve of the considera- made, but the motion of Senator Bontion of the appropriation bill and he ham to accept the resignation with re-

appropriations had increased in the Immediately after the resignation last few years and how he had op- of Mr. Christensen was accepted posed these increases. The fact that Senator Laney nominated Senator the senate did not agree with Mr. Alan Johnstone of Newberry to suc-Christensen was no reason for his ceed Mr. Christensen. Several senresignation, Mr. McColl said. To say ators seenoded the nomination, but that the senate was servile to one in- Mr. Johnstone asked to be relieved terest was not true, Mr. McColl de- from serving and his request was exempt federal salaries, interests,

largely with the remarks of Mr. Mc- and elected by a unanimous vote. An amendment to make the rate the judiciary committee so as to make resignation of Mr. Holmes was of-Coll and declared he couldn't see how Senator Gross was the next ranking 20 per cent of the federal tax offered

sented the statement that the senate planter of Dorchester county and has Johnson to make the rate 33 1-3 per had forsaken the soil and surrender- been a member of the senate since cent of the federal tax was likewise ed to business and thought this state- 1913. He has been chairman of the killed. ment meant that the senate "had sold committee on fish, game and forestry On a roll call vote the bill was out to business." Mr. Bonham said for a number of years and is one of finally sent to the house, 37 to 5. The that after such remarks and attitude the most popular members of the measure was framed by a select com-

Berry-Coleman

thereof or substitutes therefor as re- er upon all property of the party "Sec. 9. All acts or parts of acts arranged that each fire alarm number used when they were extinguished being ratified. bell rings you can instantly tell where hicle. then in each such event the oil com- construed as imposing any tax on "Sec. 10. This act shall go into ef- the fire is. They also give the telefeet on the first day of the month af- phone number to call when you have of foxes in the state was killed by sections of the code of laws of 1912, direct such laborers as may be needguilty of misdemeanor, and upon con- Sec. 8. All moneys collected un- ter the approval of this act by the an alarm to turn in and are very val- the adoption of the unfavorable re- Volumes I and II, to be incorporated ed during the session of the general uable in every respect.

SENATE PASSES **INCOME TAX BILL**

SELECT COMMITTEE MEASURE FINALLY FAVORED

Vote Close After Two Days' Debate -Fifty-five Hour Textile Bill motion does not effect today's session Passed but applies to the adjournment today

did not mean the words in the light The senate at 11:30 o'clock last off and the senate was in darkness for they had been taken. He said he night passed the select committee in- a short time, despite the effort of Col. agreed with Mr. Duncan that no one come tax bill framed largely on the J. Fred Schumpert, the sergeant-atman or committee could run the sen- lines as suggested by Senator S. H. arms, to throw light on the subject ate. He entered into an explanation McGhee of Greenwood and providing by the injection of a kerosene lamp. of past appropriation bills and said he for a tax of 25 per cent of the amount. The chimney and burner of the lamp accepted his share of the responsibili- paid to the federal government to be fell as the sergeant-at- arms was com- and when the bills were passed by ties in increasing the bills and did not paid to the state government. The ing to the rescue, but at this juncture want to throw his part of the respon- vote came after nearly two days of the lights returned. continuous debate.

Senator Hamilton said he was not Following another night session de- in regard to pay warrants of teachrepresenting any class of business, voted practically entirely to the in- ers. but the people of Chester councy, ile come tax bills the vote came on the Several said it looked to him like the senate motion of Senator Christensen to lay made. Chicago who did not know conditions Padgett, Robinson, Stabler, and Gross. here. He declared that he could not Wightman-18. Nays: Bailes, Senator Bethea's bill to regulate at-originally contemplated was stricken

he had so stated at the outset. Mr. the house is vastly different from the neys and if the parties can not agree tax on all persons, firms, corporations, exception to the language used by lift.

McColl then reiterated that he house ways and means committee bill. as to a "reasonable" fee the courts etc., holding more than 500 acres of the courts of th Christensen in submitting his resignation a "slap" at Its socialled simplicity was what won can decide. The bill is framed to land as game preserves. The tax is

Senator McColl said the chairman Several motions to have a commitstate government.

Money This Year

Some question as to whether or not on the 1921 revenue arose at the last Watkins both said that the measure provided for a tax this year on 1921

Amendments by Senator Hart to emoluments, etc., and also state sala-

the senate could be made up of more member after Senator Johnstone. by Senator Hamilton, was killed and representative men. He said he re- Senator Gross is a banker and an amendment offered by Senator

McGhee, Ragsdale, Watkins and Mc-

port made by the committee on fish, as amendments thereof in the code of assembly in the senate chamber.

game and forestry.

Adjournment Now The usual row over the Friday adjournment for the week-end occurred at midnight, a motion to meet Monday night at 8 o'clock for local, uncontested matters finally prevailing after a series of discussions on the question and other questions. This

over to Monday night. Early in the night the lights went

Senator Stabler introduced a bill

ned not lest confidence in Mr. Chr... the select committee bill on the table | During the discussion as to the tenern, but that Mr. Christe was had and the senate refused to table the week-end adjournment Senator Gross, little more. One-half of the money lost confidence in the senate. He de- bill by a vote of 21 to 18. The vote chairman of the finance committee, collected from the tax will go into clared that he would not be willing on the motion to table resulted as fol- informed the senate that it would be the general fund and one-half to the to swallow a tax program that might lows: Yeas: Beasley, Bethea, Chris- practically impossible to adjourn for counties for road maintenance and be framed by just anybody, one that tensen, Crosson, Gross, Harrelson, the session in another week, predict- construction. he didn't agree with, and that might Hubbard, Hutson, Johnsone, Johnson, ing two more weeks at least. Senator have been proposed by "somebody" in Kennedy, Lightsey, Miller, Moore, Johnstone corroborated Senator

accept the statement that the senate Baskin, Black, Bonham, Butler, Dun- torney's fees in cases of notes, mort- out. However, the act will bring in can, Goodwin, Hart, Hamilton, Mason, gages, other indebtedness or instru- from \$150,000 to \$300,000 a year af-During the remarks of Senator Mc- McColl, McCravy, McGhee, Moise, ments of writing was passed at the ter this year, according to estimate. Coll, Senator Padgett of Colleton sug- Ragsdale, Jeremiah Smith, Watkins, day ression and sent to the house as These two measures are the first

pay 25 per cent of such tax to the surance returned without recommen- ber of other measures ratified yesterdation the bill of Senator Williams to day. prevent unlicensed foreign fire insurance compnaies or associations from the bill provided for a tax this year doing business in the state; to prevent persons in the state from taking moment, but Senators McGhee and fire insurance on property within the state in unlicensed foreign fire insurance companies or associations.

as amended.

sinking fund commission to insure of April. school houses and school buildings Mr. Holmes has been rector of t against loss or damage from wind Laurens church for many years, covmittee consisting of Senators Padgett, storms without additional premiums ering two periods, several years havwas advanced to third reading.

vanced to third reading.

murmur against it. The amendments insisted on the amendment. A free selves. were proposed by the committee on conference will work out the differ-

questing one. These cards are so amendment allowing spotlights to be 1:30 o'clock, a large number of acts adjust the rents on its farm for the

GOVERNOR SIGNS REVENUE MEASURES

INHERITANCE AND GASOLINE ACTS NOW LAW

Low Country Game Preserve Bill Also Gets Signature-Hearings on Others

Governor Cooper yesterday signed the inheritance tax and the gasoline tax acts, these being the first of the new revenue measures to become law.

The governor strongly recommended the measures in his annual message the general assembly and ratified he did not hesitate to affix his signature

The gasoline tax provides for two cents a gallon on every gallon se'4 or distributed in South Carol As, which, it is estimated, will bring in around \$175,000 a year or maybe a

The inheritance tax is not calculated to bring in much revenue this year as the retroactive feature for 1921 as

gested that the remarks might be Wells, Wideman, Williams and Young amended after the senate had re- real important acts to be signed by mad made it plain to the inhance comreal important acts to be signed by
mittee that he would not withdraw his more appropriate if Mr. Christensen —21. Pairs: Laney "yea" with Bafused to strike out the enacting words the governor this year. Another measwere present. Mr. McColl said it was ker "nay" and Pearce "yea" with H. by a vote of 21 to 15. The bill pro- ure of importance to the low country vides that in such cases only a "rea- that was signed yesterday was the Christensen was not present and that The bill as passed and returned to sonable" fee may be taken by attor- game preserve bill providing for a prevent 10 per cent collections on ten cents an acre up to 20,000 acres, ate had been condemned by a person and when Mr. Christensen was "un- In a nut shell the bill enacts all the promissory notes, etc. An amendment 25 cents an acre from 25,000 acres to federal statutes, rules, regulations and of Senator Watkins, which was adopt- 50,000 acres, and above 50,000 acres, statement that business was dictat- Prior to the speeches of Senators other enactments into the South Car- ed, struck out the clause where "con- 50 cents an acre. The tax is to remain in the county where collected.

paid to the government. Every per- but the debate always come on third trustee bill, it is understood. The Wells tax extension resolution is also of a great committee had no right to tee confer with Mr. Christensen were tax to the federal government must.

The committee on banking and in- in the governor's hands as are a num-

RECTOR RESIGNS

Rev. W. S. Holmes Accepts Call to Lexington, N. C.

Laurens Herald, 17th.

The bill by Representatives Bodie The Rev. Wilmot S. Holmes has and Merchant to amend the law pro- tendered his resignation as rector of viding for the senitary inspection of the Church of the Epiphany, to take Senator Bonham said he agreed Senator Gross was then nominated ries were adopted at the last moment. hotels and restaurants as amended by effect in March, it is understood. The the cost of inspection to certain class- fered last Sunday. He has accented es of hotels and restaurants lower a call to the rectorship of the Episwas passed and returned to the house copal church at Lexington. N. C., and it is the understanding that he will Senator Bailes' bill to require the take up his new work about the first

> ing been spent at Orangeburg, where Senator Moore's bill to amend the he served the Episcopal church for criminal code so as to provide for the a few years. Mr. Holmes is also refrofeiture of weapons to municipali- signing as rector of the Episcopal

laws of 1922, Volumes I, II and III.

rear 1921.