FOUNDED A. D. 1867 .-- VOL. CX .-- No. 98.

WILMINGTON, N. C., THURSDAY MORNING, DECEMBER 21, 1922.

OLDEST DAILY IN THE STATE.

# Turks Are More Conciliatory And Agreement on the Straits May Be Effected at Lausanne

Some Sort of Plan Controlling the Dardanelles Expected to be Signed in Few Days

NOTE OF UNITED STATES EVIDENTLY BEARS FRUIT

LAUSANNE, Dec. 20 .- The Turkish and allied delegations relaxed in their attitude today and discussed control of the straits in such a conciliatory spirit that there is every indication some sort of straits convention may be signed in a very few days. The note of the United States declarng that it does not regard an international commission as necessary undoubtedly more fruit, as Lord Curzon gave careful consideration to Ismet Pasha's plea that Turkey would consider international interference with Turkey's affairs as worse than death. an agreement likely will be reached exempting the demilitarized zone along the straits from control by the pronosed international commission which will have jurisdiction only over navi-

lotage to the Turks. Ismet Pasha also pleaded for further guarantees for the safety of Constantinople than those which would be afforded by the league of nations and proposed additional guarantees simiar to those given to the Aland islands. Lord Curzon, M. Baroro, Baron Hayers expressed great satisfaction over house parish by Governor John urkey's conciliatory attitude.

Baron Hayashi said he was especialgratified to see the conference which had almost reached the stage of ulti- except a handful of officials. matums, settle down into such calm and reasonable consideration of the straits problems.

that Ismet's acceptance of the general remained in rigid silence. principles of free passage as outlined

the powers of this proposed internathe United States would negotiate a nappers. treaty immediately with Turkey. To his Ambassador Child made no reply.

#### 27 Appeals Disposed of by Supreme Court at Concluding Session

RALEIGH, Dec. 20 .- The North Carolina supreme court, before adjourning trial to John A. Bush, of Caldwell county, under sentence of death for the murder of Will Cline, but finding no grounds to interfere with the judgnent of death pronounced in the lower court of Buncombe county against

of self defense. A new trial was their homes and in spite of a search awarded, according to the supreme by officials and their families, have ourt's opinion, written by Associate not been located. Justice Walker, because the trial judge erred in the charge to the jury. Campbell, who was convicted in July,

1922, in the Buncombe county superior ourt, was in charge of the police at he Oteen government hospital, near Asheville, when he was charged with and robes. One declared the the murder of Mrs. Annie Smathers, the

on the morning of the killing the deher to marry me. If she don't, she

Eyewitnesses testified that Mrs. Smathers was riding in the defendant's that same afternoon; that she jumped out of the moving car, trying to run away from Campbell. Campbell, it was said in the evidence, stopped his car. tan after Mrs. Smathers for a few yards, then fired at her with a pistol. When she fell, he stood over her and fired three more shots into her body.

#### Uncover Plot to Loot Brooklyn Naval Base by Civilian Employes

with the arrest of twenty-two

ecently by a federal grand jury after ong investigation in which the navy telligence service, department of jusand New York police joined. The Trenty-third civilian had not been

The others were araigned before deral Judge Garvin and held in \$5,-bail each. None could furnish this Mr. Hays issued a brief statement, hearing January 3.

Although attorneys at the navy de-Partment in Washington tonight declared their reports of thefts in Brooklyn indicated a total of only \$1,200 in- Nomination of Judge Volved, the indictments returned egainst the persons arrested charge thefts totalling \$2,100, under three headings, of \$500, \$600 and \$1,000. Officials taking part in the investigation in Brooklyn pointed out tonight

### Craig's Condition is Reported Better

ASHEVILLE, Dec. 20 .- The condition of ex-Gov. Locke Craig, who is seriously ill at his home here, was pronounced tonight as slightly better. The former governor, however, remains in such condition that little hope is held for his recovery.

## PURPOSE OF GUARD MOVEMENT IS STILL **VEILED IN MYSTERY**

gation of the straits, leaving even the Louisiana Officials Decline to State Object of Sending Troops to Morehouse Parish

MONROE, La., Dec. 20 .- The purpose of the movement of a company of ashi, M. Spallkovitch and other speak- Louisiana national guard into More-Parker yesterday afternoon, tonight continued to remain a mystery to all

The passing of the day failed to lift the mystery screen. Those in a posi-Lord Curzon, after hearing Ismet's tion to speak would say nothing. The statement of the Turkish position, said governor, attorney general and others Mr. Upshaw, "that regardless of what weeks upon the shipping bill.

Late today a detachment of 25 men will accept no seat on a straits control they did not know where they were commission, regardless of how much going. The officer would not speak. Close observers offered the opinion the men were en route to one of the lakes in the vicinity of Mer Rouge where it is believed the bodies of two in any way be bound to respect the reg- men, weighed down with wagon wheels ulations imposed by this body, and if are resting, the victims of hooded kid-

Four detectives, working with the department of justice, are said to have spotted the location in the lake where the bodies can be found. The guards-men are to drag the lake or to afford protection to an expert diver engaged in the recovery, according to reports. The detectives are said to have preceded the movement of the detachment

open hearings, discussed by Governor ably wil be instituted at Bastrop the Under this method the state would hope to obtain evidence upon which the convict members of the band of 50 or more hooded men who on hourse back and in motor cars, the woods and severely flogged them. gust, 1922, for the murder of Will Two of the victims, Watts Daniels and line, the defense having set up a plea Thomas Richards, failed to return to

> They are persistent in the opinion that the missing men were murdered. could not identify any of the kidnappers as they were clothed in masks "looked what we know of the Ku Klux Klan." Another said some of the auto-

> mobiles parked at the punishing grounds bore Kansas and The statement is believed to have been the foundation for the recent to Washington by Governor

Parker who asked President Harding to invoke his authority in charged an interstate crime. Efforts to locate officials to learn the identity of the hooded men were

# Chance to Come Back

LOS ANGELES, Cal., Dec. 20.-Roscoe Arbuckle, rotund comedian, barred coming back to the place he once oc-NE V YORK, Dec. 20 .- Details of an cupied in his industry, if he can. Will elleged big conspiracy to loot the H. Hays, head of the picture industry, rooklyn navy base were revealed to- announced that all restrictions against

the actor were to end January 1. The Famous Players-Lasky corporation, which distributed Arbuckle's pictures, announced that no effort would that were withdrawn, or others that where he initiated the Polish co-operawere never released. Josph Schenck, product, said he would employ Arbuckle a strong pro-ally during the war. and that the latter said he was thankful for the chance to work and would

amount and the court indicated it saying he felt every man was entitled to his chance and the film industry not to hearing January 3 it wanted to live and help live.

# Rose is Confirmed

WASHINGTON, Dec. 20 .- The nominhast despite the small amounts speci- ation of Judge John C. Rose, to be circally charged, the alleged thetts have cult judge of the fourth circuit, which years and more than a score of per-sons have been indicted while many more are believed to have been in-solved.

Ind. Virginia and North and South was confirmed today by the suance of tax exempt securities.

Senate. The nomination failed of con-senate. The nomination failed of con-firmation at the recent special session.

## GEORGIA SENATOR ASKS HIGHER-UPS TO QUIT WHISKEY

Upshaw Requests Government Fight on Ship Officials and Governors Not to Drink

URGES NEW ALLEGIANCE TO THE CONSTITUTION

The More Influential Citizens Three Distinct Efforts to Fix Should Not Encourage Bootlegging

WASHINGTON, Dec. 20 .- High government officials, governors, judges of debate and parliamentary maneuvand members of congress were asked | ering in the senate today served only today by Representative Upshaw, Dem- to tighten the deadlock which has exocrat, Georgia, in a speech in the house isted for three days between two opto emulate Marshal Foch, who "refus- posing and almost equal groups, one ed to touch intoxicants while on Amer- fighting to keep the administration ican soil out of respect for the dry leg- shipping bill before the senate and the

"No longer must the higher-ups say 'go'," shouted Mr. Upshaw. "They must say 'come.' Anything less than this would be a farce and a scandal. Timorous souls have never inspired anybody. This is no time for pussyfooting nated time upon the pending motion to utterances and action on the part of lay aside the shipping bill and to take state and national leaders."

Mr. Upshaw urged that the president issue a "ringing Christmas proclama- | nullified the attempt. After the untion calling on every citizen and especially every official to total abstenence bate ran-far afield, ranging from a for the common good." Referring to discussion of the disposition of Muscle the recent governors' conference he Shoals to charges that Ambassador said: "Let these governors, led by the Harvey, at London, through his recent president and vice president of the statement on the European situation United States and all the members of had endeavored to affect the cotton the cabinet, walk out in the open and and grain markets in the United States lift their hands before high heaven and take a new oath of allegiance to the islation were discussed and when the whole constitution and the American senate adjourned administration lead

suit; let every state and federal judge alliance formed between foes of the America stand up like patriotic men agricultural bill.

at high sounding pronunciations, be- Jones, Republican, Washington, in cause they believed that "many high charge of the shipping bill, who pro-officials believed in that hi-fa-lutin posed an agreement to vote at three autocracy which claims the privilege of o'clock today on the motion before the buying and drinking lifticit liquors senate, Unanimous consent was themselves while denying the privilege fused by Senator Fletcher of Florida, to the poor devils down among the leader of the Democratic opponents of masses who are foolish enough to want the shipping legislation, and Senator the opportunity to buy and drink illicit Jones thereupon proposed a vote at liquor damnation," Mr. Upshaw said o'clock. that "if these governors who put their | feet under the president's mahogany of Mississippi, Democrats, objected. at the white house really wish to get enforcement, let them remember what dicted that ruarl credits legislation the beloved and immortal Sam Jones might be expected from his committee said: 'If you want to reform the world,

begin on yourself'." Alvin Owsley of the American legion, who, he said, had declared he would this after the opinion had been exnot touch a drop of liquor while head pressed by Republican senators that a celebration, and carried them off into of the legion, and then launched an at- agreement to the proposal would have tack on Governor Parker of Indiana, the effect of preventing any action on who, he said, had asserted at the recent the shipping bill in the meantime. governors' conference at White Sulphur Springs, W. Va., that "prohibition

is a failure." "I can not," he said, "close this honest, desperate Christmas exhortation to high officials without the inevitable observation that the conference of governors will be in a bad fix and will leave the president and his cabinet and the whole country in a bad fix if they are all down with the same complaint which afflicts that visionary hero of

### Stanilas Wojciechowski New Polish President

WARSAW, Dec. 20 .- (By The Associated Press) .- The new president of Poland, Stanilas Wojciechowski, took the presidency with 298 ballots, of 519 east by the national assembly. Although the police forbade demon-

stration, President Wojciechowski was greeted enthusiastically as he emerged from the parliament building. While he is supported by the radicals, he nevertheless is highly respected by the

Born in 1869, Wojciechowski entered Kalisch university, but his studies were belonging to a secret political organtzation. The following years he spent in Switzerland, France and England, and he worked with his old friend, General Pilsudski, unremittingly for Poland's independence.

In 1905 he abandoned politics and obtive community organization. He was man, he was yearning for the quick

# FIVE-HOUR DEBATE SENATE DE DLOCK

sure and Norris nues at nsion

Date For Vote Fails to Break Deadlock

WASHINGTON, Dec. 20 .- Five hours other to displace that measure.

Three separate and distinct efforts were made during the day to break the deadlock through a unanimous consent agreement to vote at a desigup the Norris agricultural financing measure, but each time an objection successful result of these efforts, de-Shipping and agricultural relief legers were frankly pessimistic over the them sacredly declare," said possibility of a vote within several

their tastes and practices have been General belief was expressed that they will never again build up a hoot- the Christmas recess would come and and every prosecuting attorney in ship bill and advocates of the Norris

The initiative in the effort to bring sonally trample the constitution which the question involved in the deadlock they have sworn to obey and defend." to an issue was made today, as on Declaring the "plain people" laugh yesterday and Monday, by Senator

Senators King of Utah and Williams Pointing out that the banking and early next week, Senator Harrison Democrat, Mississippi, later proposed Mr. Upshaw commended Commander that a vote be taken next Wednesday Senator Jones refused to assent to

#### Clemenceau Back in French Capital With Happy Remembrances

PARIS, Dec. 20 .- (By the Associate Press) .- Georges Clemenceau, France's wind mills, the fantastic governor of noted war-time premier, returned to sticks to his not infrequently expressed him what he termed happy remembrance that the people of America still love France and also two boxes of grapefruit, which he declared would

friends claimed to see evidences that had left its impression upon him. No official welcome awaited Clemen ceau, either at Havre, where he landed this morning from the steamer Paris, or in the capital. Numerous friends, however, greeted him at Havre and

also in Paris. Official notice of his return was lacking due to his expressed wish. The Tiger when asked concerning his views of what had been accomplished indicated by a few casual phrases that from Poland by the Russian police for if there was any import to his visit the American people would get it.

"They have got sense enough," h He added that for him his journey was the chapter that ended his career. He said he was moved by the sense of fatigued which sooner or later must tained permission to return to Poland, terminate his interest in the influences of earthly matters; like a true Frenchpeace of solitude.

### THE DAY IN WASHINGTON

\$3,601,715 war claim.

examination of department of justice sociations.

Representative Upshaw, Democrat, of states.

department of justice was preparing to on high federal and state government shares," he writes, and then goes on: /ley, North Carolina newspaper pub- of the witnesses testified, was a spec- shares," he writes, and then goes on: /ley, North Carolina newspaper pub- of the witnesses testified, was a spec- shares," he writes, and then goes on: /ley, North Carolina newspaper pub- of the witnesses testified, was a spec- of the witnesses testified, file a suit against the Wright-Martin officials "to sacredly declare" they would not drink bootleg llquor.

ized to purchase or rediscount bankers by the shareholder upon his individual Dowell, of Raleigh. Hearings by the house judiciary committee on the Keller impeachment drawn by growers of staple agriculture

the tax on its capital stock. This is arrived a conclusion with the products or coconstruct of the compositive manual and fatal arrived a conclusion with the products or coconstruct of the compositive manual and fatal arrived a conclusion with the compositive manual and fatal arrived a conclusion with the compositive manual and fatal arrived as conclusion with the compositive manual and fatal arrived as conclusion with the compositive manual and fatal arrived as conclusion with the compositive manual and fatal arrived as conclusion with the compositive manual arrived as conclusion arrived as conclusion with the compositive manual arrived as conclusion arrived as conclusions are conclusion.

TICKETS PRINCETON TRIANGLE CLUB MUSICAL COMEDY, "THE MAN FROM EARTH," ON SALE WILMING- TON TALKING MACHINE CO., PRI- DAY. DON'T MISS THIS IS PIECE ORCHESTRA; MUSIC, DANCING, AND SCENERY, 72 MEN, MOSTLY "GIRLS"

ACQUITTED OF PLOTTING HUSBAND'S MURDER



MOUNT HOLLY, N. J., Dec. 20 .- Mrs. Dorls Brunen was tonight acquitted and her brother, Harry C. Mohr, was found guilty of murder in the first degree in connection with the slaying of the former's husband, "Honest John" T. Brunen, carnival owner. The jury recommended that Mohr be sentennced to life imprisonment at hard labor.

### Supreme Court Dismisses Suit Designed to Compel Listing of Stocks and Bonds for Taxation

Chief Justice Clark Dissents; IMPEACHMENT PROBE Other Members Sustain Ruling of the Lower Court

SUIT PUSHED THROUGH BY WILLIE M. PERSON

> Star's News Bureau, 312 Tucker Building. By BROCK BARKLEY

RALEIGH, Dec. 20 .- With the chief justice dissenting, the supreme court today dismissed former State Senator Willie M. Person's suit to compel the state commissioner of revenue to require the listing for taxation of all stocks and bonds held by individuals.

While finding that Colonel Person taxing corporate stocks and bonds and ington during that time. sanctioned the system as one in strict

Chief Justice Clark as "not concur ring," as he designates his "opinion, writes through 30 pages on the burdening of the masses with taxes and the contention that the constitution is being "clearly violated."

Judge Adams sets forth the contention of the plaintiff when "shorn of verbiage" as follows:

"That the constitution of North Carolira, articles 5, second 3, provides that laws shall be passed taxing by a uniform rule all moneys, credits, invest- concerning charges in support of which can't have our shovels blown up." ments in bonds, stocks, joint stock no evidence had been presented. Chaircompanies, or otherwise, that stock- man Volstead insisted, however, that holders should therefore list for tax- the committee ought to go into all of so troops would be called out?" he was ation in their own names all shares of stock held by them; that all statutes as far as might be possible as to purporting to exempt the individual whether there was basis for them. his stocks in this manner are void and ed Representative Woodruff, Republithe defendant to enforce compliance tee evidence which he contended with this construction of the constitutional provision."

Judge Adams points out that the re lef sought could not be obtained in corporation for the recovery of \$3,601,functions and the plaintiff was in fatal ment of war claims. Assistant Attorerror in the assumption that such func- ney General Seymour announced that tions may be exercised by the courts, suit for the recovery of this amount and this alone would be sufficient soon was to be filed and Col. D. Goff, grounds for the dismissal of the suit, a state official to do something that charge of unnecessary delay. clearly would be inviolation of the law under which he works. Albeit, "the paramount importance inquiry into the building trades cases

of a question which assails the policy growing out of the Lockwood commitadopted by the legislature, for taxing tee investigation in New York. corporate property and continued with minor changes for well-nigh half a minor changes for well-nigh hair a century, demands an expression of Goldsboro Publisher opinion by the courts." So Justice Adams proceeds to give him one. "The statute objected to simply provides that if the corporation pays a tax on its capital stock and share-

(Continued on Page Two.)

# **AGAINST DAUGHERTY** MAY CEASE TODAY

Judiciary Committee to Report Finding of no Evidence to Justify Impeachment

the house judiciary committee which is expected to report to the house that ty. He told of the march from the tribunal when he should have told his it found no evidence on which to base troubles to the legislature. Justice an impeachment proceeding. The retroubles to the fegislature, Justice an impeachment proceeding.

Adams, in writing the opinion, and Justice Stacey, in a concurring one, got of the absence of members from Wash
of here. They've had enough." He

quoted Otis Clark as saying: When the committee adjourned tonight after two long sessions, there requestioned concerning allegations in the specifications drawn by Represenfative Keller, Republican, Minnesota which had not been touched upon at the time Mr. Keller withdrew from the

Examination of the department officers began late today over the protest of several committeemen who insisted he was given a shot gun and quoted that the attorney general should not McDowell as saying: the charges in an effort to satisfy itself asked, and replied: Before this line of inquiry was opendepartment of justice in bringing suit of water. against the Wright-Martin Aircraft 715 growing out of alleged overpay Most of the remaining time of the hearing today was taken up with an

By H. E. C. BRYANT

plaintiff says in effect that the consti- this afternoon to Mrs. Clyde Powell town, announced his resignation today. Aircraft corporation to recover a Federal reserve banks were author- tution requires the payment of a tax Dowell, daughter of Rev. George J.

charges neared a conclusion with the products or co-operative marketing as- the plaintiff's fundamental and fatal bride, in Cleveland Park. The cerecharges neared a conclusion with the products or co-operative marketing asexamination of department of justice sociations.

A bill was introduced in the senate officials.

Republican leaders decided to defer side at Goldsboro.

### SURVIVORS IDENTIFY TWO OF DEFENDANTS **AS MEMBERS OF MOB**

Prostrate From Wounds Witness Saw Others Slaughtered at Herrin

BLOOD CURDLING STORIES ARE TOLD

Mine Guard Tells of Seeing His Comrade's Head Blown Off by Rioter

MARION, Ills., Dec. 20 .- (By The Associated Press) .- Peter Hiller and Otis Clark, two of the five defendants on trial charged with murder in connection with the Herrin riots, were pointed out in court as two of the members of the mob by two of the four survivors who took the witness stand today. The survivors, who occupied the stand most of the day, were William Cairns, P. J. O'Rourke, Bernard Jones and Robert Officer, the latter a University of Pennsylvania graduate, was a bookkeeper at the Strip mine where the riot started and which resulted in

the death of 20 non-union men. The first three were guards at the mine. Cairns testified that the 48 men in the mine surrendered under a white flag between 5:30 and 6 o'clock the morning of June 22 and were marched out of the pit with their hands above their heads after being told that they would not be harmed. He said he had seen C. K. McDowell, the crippled superintendent of the mine, led away by Otis Clark, who had a gun, and another

"We were marched on until we came to a barbed wire fence," he said, "and some one shouted, 'All men with guns line up to the right,' and then some one else cried: 'Now you fellows run.' Then the firing started," he said. When he was wounded and lying beside the fence with two bullets in his body. up to another wounded man who was leaning against a tree and fire into his body, after shouting, "You great big

The witness said he saw another man superintendent at the mill, who was lying wounded in the field and say: "Here's that --- machine gun ner." Cairns declared the speaker then drew a pistol and blew Shoemaker's

The witness said he was picked up and taken to a hospital by Sherin Thaxton about an hour later. O'Rourke told of being shot twice as the fence, of fleeing through the woods until he was re-captured and marched with five other bleeding, pleading victims, through Herrin, to a cemetery outside the city, where all six were shot down in the road. The witness said he remembered praying for any Christian in the crowd to bring him water and, in the name of his mother, for some one to notify her of his fate. He said some one knelt over him and slashed his throat with a pocket knife.

O'Rourke was picked up with seven bullet wounds in his body. Jones testified that he had raised a of the attackers that those in the mine would be taken safely out of the connmine, while some one in the crowd

"We're going through with this if I have to shoot them all myself." and after being given refuge by a farmer, boarded a train for Chicago. On cross-examination, Jones said he had been employed by several private from June 14 to the 19th, but was not disturbed during this time. Jones sald

"We don't want any trouble, but "Isn't it true that you were instruct

"That is absolutely not true." Another witness, Dr. J. W. Billots, can, Michigan, laid before the commit- defendants, boast that he had prevented some one from giving one of the men wounded at the cemetery a drink

> paper man, had previously testified that Grace had prevented him from giving a drink to one of the wounded, and another witness had said he had seen Grace shooting in the cemetery. dealer, testified that on the afternoon

which seeks to have the court force has had charge of the case, denied the of June 21 a crowd of men and boys came into his store and got three guns and asked him to charge them to the Herrin Miners' local. Norman said he refused and asked for names, and they gave two, and said they wanted the guns in a hurry.

dealer of Marion, testified that 15 or 20 men came into his store the afternoon of June 21 and seized nine shotguns Weds in Washington and told him to charge them to the Herrin locals, and if he wanted verification to call up Hugh Willis or Will Davis, miners' officials. Robert Her-Announcement was made that the Georgia, in a speech in the house, called list or to pay a tax on his individual was made that the Georgia, in a speech in the house, called list or to pay a tax on his individual li

Republican leaders decided to defer the small amounts speci- ation of rings school, state institution for the fourth circuit, which further consideration by the house of the fourth circuit, which further consideration by the house of the fourth circuit, which further consideration by the house of the further consideration by the further consideration b were reported.