

SAYS I. C. C. GIVEN BROAD POWERS TO AVOID OWNERSHIP

Arguments in Wisconsin Rate Case Before the Supreme Court Continue

Washington, March 14.—(By the Associated Press.)—A new basis of negotiation believed by officials of the State Department to be acceptable to both Panama and Costa Rica in settlement of their boundary dispute was outlined in a note dispatched to Panama today.

BRUCE SCOTT RESUMES ARGUMENT FOR ROADS

Declares Alternative of Government Was To Give New Powers To Single Agency For Rehabilitating Railroads In Public Interest; Contend For Rights of The States

Washington, March 14.—Beginning today before the Supreme Court his argument in behalf of the carriers in the Wisconsin rate case, Bruce Scott, general solicitor of the Chicago, Burlington and Quincy railroad asserted that broad powers were given the Interstate Commerce Commission by Congress deliberately to obviate the necessity for government ownership.

"When Congress terminated federal control," said Mr. Scott, "it found that the condition of the railroads required new legislation. The public did not wish government ownership and the alternative was to give new powers to a single agency for the rehabilitation of the railroads in the public interest. Among these powers was that given the Interstate Commerce Commission for the first time to prescribe state rates to remove discrimination."

The Wisconsin rate case embodies an appeal of the railroad commission of that state from an injunction restraining it from interfering with the Burlington's attempt to follow an order of the Interstate Commerce Commission authorizing increased rates. Forty-two states have joined with Wisconsin.

Mr. Scott, in his announcement today, declared, however, that 31 states had obeyed the order immediately while other states granted the freight increase alone, being restricted by specific statutes to action on that class of transportation.

Other Arguments.
John E. Benton, general solicitor for the National Association of Railway and Utilities Commissioners, who was selected to represent the agencies of the states cooperating with Wisconsin, followed Mr. Scott. He devoted much of his argument to review of historical precedent which tended to uphold the contention that the internal commerce of a state was expressly reserved to that state's supervision by the constitution. Full recognition of this by Congress, he said, was shown many times in the progress of the Transportation Act through the House and Senate.

Mr. Benton asked that the act "be held in violation of the Federal constitution and that the findings and order of the Interstate Commerce Commission be held to be illegal and void."

Recognized Authority.
The contention of the states' representative that Congress had specifically recognized the exclusive authority of the state over its internal commerce was supported in a special brief filed today. The House Interstate commerce committee in April 1919, the brief asserted, substituted in a Senate measure a provision that "no change or increase shall be made in interstate rates, fares or charges without having first secured the approval of the proper state regulating tribunals." This provision was supported by both the House and Senate, the brief said, and when President Wilson vetoed that particular measure on November 19, 1919, his message left no doubt as to his interpretation of the intention of Congress to make a complete restoration of power to the states.

Nowhere in the discussion which led to adoption of the transportation act in its final form, the brief continued, can there be found a suggestion that Congress had receded from its expressed intention.

ANARCHIST CONFESSES TO KILLING OF DATO

Madrid, March 14.—Pedro Mateo, a 23-year-old anarchist arrested today on suspicion of having been one of the murderers of Premier Dato, confessed to the crime when taken before a judge. He stated that he was an occupant of the side car from which the premier was shot last Tuesday night and that he fired two shots. Mateo gave the name of his accomplice as Ramon Casanova, who is being sought by the police. He warned the police to beware of Casanova, who, he asserted, had a camera filled with explosives.

Another Step Taken to Settle Boundary Matter

New Basis Of Negotiation Believed By State Department To Be Acceptable To Panama And Costa Rica Outlined In New Note Dispatched To The Panama Government.

Washington, March 14.—(By the Associated Press.)—A new basis of negotiation believed by officials of the State Department to be acceptable to both Panama and Costa Rica in settlement of their boundary dispute was outlined in a note dispatched to Panama today.

GUDGER OUSTED AS POSTMASTER

Asheville Postmaster Removed From Office By Telegraph Yesterday

Asheville, March 14.—Coming as a climax to the letter-writing battle which has been waged between Postmaster Owen Gudger and First Assistant Postmaster General J. C. Koons, the former was removed from office this morning by telegraph, and he immediately turned over the office to Dan W. Hill, who was appointed by Mr. Koons as acting postmaster pending the settlement as to the regular appointment.

Mr. Gudger did not profess surprise at being ousted from office, as he said he had expected it every day since the Republicans went into office. The real cause of the removal, it is understood, is the charge by Koons that Gudger printed the official correspondence in the case of Miss Katherine Rollins, who was dismissed from office on charges of alleged irregularity.

Mr. Gudger has had the office for eight years, having been appointed by President Wilson on the recommendation of the late Congressman Gudger, Maj. W. W. Rollins, Republican, held office one year in the first Wilson administration, or until the commission he had accepted said the Democrats made no attempt to oust him.

It is understood that Hill was recommended by Linney and Morehead. Only one other applicant appeared in the race—Ollie Fitzgerald—but it is not known if he went so far as to send in petitions he circulated.

The trial of Charles Letts and Sol Single, charged with the murder of Lester McNeill several weeks ago, started in Superior Court today, and the first day was spent in taking evidence. They are being tried for their lives, and a special venire of 200 men was called from which the jury was selected. The trial will probably last for a week.

SECRETARY DENBY TO VISIT ATLANTIC FLEET

Secretary Will Also Make Inspection of Haiti and Dominican Republic

Washington, March 14.—Secretary of the Navy Denby will leave Washington Sunday for Guantanamo, Cuba, where he will witness target practice and winter battle maneuvers of the Atlantic fleet. Later he will go to Haiti and the Dominican Republic to inspect the Marines stationed on the islands, and will return to Washington about April 5.

The naval secretary will make the trip South by rail to Key West, Fla., and from there he will go to the fleet base at Guantanamo on a destroyer. He will be accompanied by Captain J. E. Robison, of naval operations, and Col. D. D. Foster, of the Marine Corps. His naval aide, Commander P. W. Foot, may also accompany him.

AMERICAN MINISTER TO GREECE RETIRES

Athens, March 14.—(By the Associated Press.)—Edward Capps, American minister to Greece, retired from his post yesterday, turning over the legation to Barton Hill, the first secretary, who will act as charge d'affaires until the arrival of Mr. Capps' successor.

CURRITUCK MAN SHOT SUNDAY NEAR BARCO

Elizabeth City, March 14.—Sam Crane of Colnatch, Currituck county, was shot at close range with No. 4 shot when he is alleged to have tried to gain access to the home of Ben Poyner, near Barco, in that county, about 9:30 o'clock Sunday morning. Thirty shots took effect in his arm and side, but physicians say he will recover. Crane claims he only intended making a friendly call at the Poyner home.

E. F. McCULLOCH IS MORRISON'S CHOICE STATE PRISON HEAD

Governor's Recommendation Will Go to New Prison Board Which Meets Today

GEORGE R. POU WILL SUCCEED McCULLOCH

Proposed Successor To J. R. Collie Has Been Chief Clerk For Four Years; Collie, Governor Intimates, Will Be Given Another Appointment Within Administration

E. F. McCulloch, of Bladen county, for four years chief clerk of the State Prison, is Governor Cameron Morrison's choice as superintendent of the Prison to succeed J. R. Collie, Governor Bickett's appointee. The recommendation of the Governor will go before the State Prison Board at its meeting today along with the recommendation for the appointment of George R. Pou, of Smithfield, as successor to Mr. McCulloch.

Governor Morrison yesterday professed to considerable difficulty in making the selection for the head of the State's Prison. He expressed great friendship for the present superintendent and great respect for his ability and declared yesterday afternoon when he made his recommendation public that he had in mind the appointment of Mr. Collie to a place in the administration for which he is well suited.

Mr. McCulloch was chief clerk of the State Prison during the administration of Governor Bickett and received many endorsements for the higher office. Mr. Pou, his successor as chief clerk is the son of Congressman E. W. Pou, and is chairman of the Democratic Executive Committee of Johnston county.

The new state prison board will meet for the first time today, when the recommendations of the Governor according to custom will be confirmed. The new board contains only one of the former members, this being W. M. Sanders, of Smithfield. The chairman is James A. Leake, of Anson county, succeeding H. B. Varner, of Lexington. The other members are E. B. Ficklen, of Pitt; A. L. Bullock, of Robeson; and Richard M. Chatham, of Surry.

ALFRED L. FRENCH IS CLAIMED BY DEATH

Agricultural Leader Succumbs To Typhoid Fever; Funeral Today

Draper, March 14.—Alfred Llewellyn French, widely known as a breeder of Aberdeen-Angus cattle and prominent as a writer on agricultural subjects, died last night at his home near Draper of typhoid fever. The remains will be taken to Beidville and the funeral services will be held at that place Tuesday afternoon at 5 o'clock.

Mr. French was three times a candidate for the office of State Commissioner of Agriculture on the Republican ticket. He was president of the Carolina Aberdeen-Angus Breeders' Association, vice-president of the North Carolina Bee Breeders' Association, secretary of the North Carolina Livestock Association, and a contributing editor of the Progressive Farmer.

The deceased was born in Wakeman, Ohio, November 10, 1869, and came to North Carolina twenty years ago because of poor health, settling in Rockingham county near the Virginia line. His home was near Draper, but his postoffice was at Cascade, Virginia. Mr. French is survived by his widow, who was formerly Miss Hattie Van Fleet, and by four children, Gaylord H., Ellen L., Annie Crane and Cordelia M. French.

TURN CAMP JOHNSON OVER TO STATE TROOPS

OVER TO STATE TROOPS

Washington, March 14.—The target range and buildings connected with it at Camp Johnson, near Jacksonville, Fla., will be turned over to the State for use of State troops, it was learned today. Title to the land and buildings will remain vested in the government for the present, but it is understood that later the land may be given to the State.

The question of disposition of the remaining government-owned land and buildings of Camp Johnson is now under discussion at the War Department, but no decision has been reached. It is expected that all of the buildings, except those on the target range, eventually will be salvaged.

APRIL 11 SELECTED AS DATE FOR THE SPECIAL SESSION OF CONGRESS

Washington, March 14.—April 11 was selected today as the date for the special session of the Sixty-sixth Congress, the first to be held under President Harding's administration. The announcement was received with general satisfaction by Senate leaders, most of whom said they preferred that date to April 4 because of the additional week it gave them to arrange plans for the coming session.

TO NAME ADMINISTRATOR FOR REYNOLDS' ESTATE

Winston-Salem, March 14.—Application will be made in superior court tomorrow for appointment of an administrator for the estate of the late Walter R. Reynolds, who left no will. The estate is variously valued from \$500,000 to \$1,000,000. Under the North Carolina law the property goes to the brothers and sisters of the deceased, and to the children of a deceased brother and a deceased sister.

DANIELS GIVEN ROUSING WELCOME IN CUMBERLAND

Thousands Gather In Streets of Fayetteville To Greet Former Secretary

Former Secretary Speaks at Banquet In Behalf of Movement For Y. M. C. A.

Fayetteville, March 14.—Like the clansmen of old who cut down Birmam Wood and carried it down with them to battle against the stronghold of Macbeth, the Scotch of the Cape Fear country cut them down longleaf pine branches today and gathered ten thousand strong on the streets of Fayetteville. But there was no war cry on their lips as they waved their pine branches, nothing but shouts of welcome to Joseph Daniels, back to the land of the long leaf pine.

Coming all unannounced into their city at noon today, the Former Secretary rode into the midst of a celebration that has not been rivaled here since the Scotch turned out in mass formation sixty-five years ago to welcome James Dobbin when he came home from four years service as Secretary of the Navy. Captain James D. McNeill, master of ceremonies who witnessed the former as a small boy, said so. At any rate, the streets of the city bristled with the branches of pine trees and the throng yelled itself hoarse.

The program, in so far as it was known to Mr. Daniels, was nothing more elaborate than an address to be delivered at a campaign luncheon for the Y. M. C. A., drive, and a visit to Camp Bragg to witness the firing of the big gun. Motor trouble delayed his arrival and when he got here he found

the clausmen had been working toward tonight's decision for weeks past and for the last several days the community has talked little else. Tonight the big drive got away with a clear start and presently Fayetteville is going to have a thing that it has coveted since the beginning of the war, an initial investment of half a hundred thousand in money and an unbounded public interest will be made.

Problems brought to them by the location of Camp Bragg here have brought the idea of a "Y" to the forefront of the community mind, and the officers and men alike at the camp have joined hands with the "God Blessed Mass" with a common end in view. Tonight the commanding officer of the camp, Colonel Fox, and his staff officers, Majors Bowley, Gruber and Austin, sat across the table from the

BEGIN SEARCH FOR MISSING TAR HEEL

E. R. Wilson, of Wilson Mills, Last Reported In Mexico; Other News

Newa and Observer Bureau, 603 District Natl. Bank Bldg. BY JOE L. BAKER. (By Special Landed Wire.)

Washington, March 14.—The State Department has started an investigation to learn the whereabouts of E. R. Wilson, son of Mrs. J. A. Wilson, of Wilson Mills, N. C., who has not been heard from since last September when he was in Tampico, Mexico. Young Wilson was at that time in the employ of the Mexican Gulf Oil Company. His mother heard from him frequently and regularly up until September and since that time no word from him has come. She wrote to Representative Edward W. Pou, who took the matter up with the State Department, which has called the American consul at Tampico to make inquiry and report promptly.

Goodwin D. Ellsworth, of Duplin county, on the staff of the First Assistant Postmaster General and in charge of postal service, left tonight for Pittsburgh where he is to make an address tomorrow on a new phase of postal service, a delivery service for department stores. Mr. Ellsworth is to speak before the International Retail Delivery Service, which is holding a convention at Pittsburgh this week.

As an experiment, the postal service recently took charge of the delivery service of seven large stores in St. Paul and the experiment worked so well that establishment of the service on a permanent basis is being considered. In St. Paul the postal employees took over the delivery work that had required upwards of 65 trucks and performed the same service with five trucks and a number of foot carriers. The St. Paul merchants estimated that it cost them twelve to thirteen cents to deliver a package, and contracted to pay the government ten cents per package. The cost of delivery to the government was six cents per package, and it therefore realized a profit of four cents on each package delivered.

Jake Chiles and Colonel Hester, of Asheville, are here to see officials of the Public Health Service with reference to the Kenilworth Inn property at Asheville, now being used as a hospital for service men. The government has a lease on the Kenilworth property, with the privilege of buying, and the Asheville gentlemen are here to see about a final disposition of the property. They will call tomorrow to see Dr. Lavender, who is in charge of that branch of the Public Health Service work.

NEGRO IS TAKEN FROM OFFICERS AND LYNCHED

Tampa, Fla., March 14.—William Bowles, a negro, was lynched by a mob near Eagle Lake in Polk county this afternoon after two deputy sheriffs had arrested the black for making improper remarks to a young white woman. As the officers were taking the negro to the county jail at Bartow they were held up by a mob of armed men, overpowered and the negro taken from them. The black was hanged to a tree near the roadside.

Former Cashier Surrenders.
Jessup, Ga., March 14.—H. C. Dickerson, who was cashier of the Odum Banking Company, at Odum, when he disappeared last October immediately before the bank was forced to close its doors, surprised his friends and officials generally, when he suddenly made his appearance in Jessup this morning and surrendered to the sheriff. He gave bond later in the day.

CLARA HAMON WILL GO ON STAND TODAY IN HER OWN BEHALF

State Concludes Presenting Evidence and Testimony For Defense Begins

BUSINESS MANAGER FOR HAMON ALSO TESTIFIES

Widow of Late Republican National Committeeman From Oklahoma Gives Brief Testimony On Stand For The State; Number of Minor Witnesses Heard Yesterday

Ardmore, Okla., March 14.—Mrs. Jake L. Hamon today testified briefly as the concluding witness for the State in the case of Clara Smith Hamon, charged with the murder of Jake L. Hamon, former Republican national committeeman for Oklahoma. Nearly a score of witnesses for the defense were examined, and it was announced the defendant herself would take the stand tomorrow.

Mrs. Jake L. Hamon had been under a physician's care since Friday, when she was unwell by the presentation in evidence of the bloodstained undergarments her husband had worn on the night he was shot, and court also took an unusually long recess at noon today to enable her to regain her composure. Her testimony was brief and related to one or two occasions on which she visited Oklahoma, and of her meetings with her husband and Clark Smith Hamon there.

Frank L. Ketch, business manager for Hamon and now administrator of the estate, testified at length at the morning session of court, relating conversations he had had with Hamon after the shooting, and of steps taken to induce Clara Smith Hamon to leave Oklahoma.

Gave Defendant Money.
"Give Clara some money and have her get away," Ketch quoted Hamon as saying. He added that he gave the woman his personal check for \$5,000, later retaining that amount from the Hamon estate.

Ketch identified a contract signed "Clara Smith" releasing Hamon from all claims, and he also identified two letters as having been written by the defendant.

Several of the early witnesses for the defense testified as to the character of Everett Sallis, a taxi driver, who testified Saturday for the State regarding the trip of Clara Smith Hamon, to Cisco, Texas, when she was on her way to Chihuahua, Mexico.

Deputy Sheriff Ballou, one of the defense witnesses, said he had been with Sheriff Barret at the hospital the day before Hamon died, and had heard Hamon say he did not want Clara prosecuted.

Miss Ella Risison described lights in the hall and on the street which illuminated Hamon's room at her hotel where Hamon was shot. She said she since had seen a man raise a chair with the regular rooms lights out and his action was plainly visible by the street and hall lights.

Ketch's Testimony.
Ketch was permitted to testify over the objection of J. L. Hodge, assistant county attorney, who announced that developments Saturday were such as to indicate Ketch would be charged as an accessory after the fact of Hamon's killing. After Ketch left the stand, S. P. Freeling, State attorney general, said that under the law the fact that Ketch had testified rendered him immune.

"My wife will be here as soon as she hears of this and I want Clara to go," Ketch quoted Hamon as having said. "Tell the world any kind of story, that I dropped the gun; anything."

Ketch said that while Hamon first told him he shot himself accidentally, he later admitted that Clara Hamon fired the bullet, but that he wanted the matter hushed up.

Ketch testified that under Hamon's instructions, he drew \$5,000 from his personal account, gave it to Clara Hamon and told her to leave Ardmore and remain away. He said the woman still is interested in several business projects, both with the Hamon estate, of which Ketch is administrator, and with him personally.

Dr. Hardy, recalled to the stand just before the noon recess, explained that the bullet which caused Hamon's death entered his body at an angle. It was the contention of the defense that the bullet took such a course.

Defendant Out Early.
The defendant was in the court room early. She was dressed in the blue serge suit and sailor hat she wore on the opening day of her trial.

Mrs. Jake L. Hamon, the widow, leaning on her son's arm, and in full mourning, came into the court room a moment before court opened. She took her accustomed seat directly opposite Clara Hamon.

Erret Dunlap, business associate of Hamon, the first witness called today, told of a visit to Hamon in a sanitarium here two days after the shooting.

Dunlap said Hamon told him he was lying on his bed resting, when Clara came to his room, laid her left hand on his head and that he "felt her right on my shoulder when she shot me."

Mr. Dunlap said he had not asked the county attorney to dismiss the case, stating there was "nothing to it," but said he had asked that a statutory charge filed at the same time against Hamon and Clara Hamon be dismissed.

Rail Wages Reduced.
Hornell, N. Y., March 14.—A reduction of approximately 20 per cent in all working forces except train and engine crews was ordered by the Erie railroad today. About 800 employees in the Hornell region were suspended.

The company also announced its intention to cut wages April 10 to the figure prevailing before the federal labor board awarded an increase last July.