THE WEATHER
North and South Carolina — Fair Sunday and Monday, not much change in temperature. Tennessee—Sun. fair; Mon., cloudy.

THE SUNDAY CITIZEN

"DEDICATED TO THE UP-BUILDING OF WESTERN NORTH CAROLINA"

32 PAGES TODAY

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Underwood Defends Four Power Treaty Upon Senate Floor

NO MYSTERY IN TREATY, HUGHES SAYS IN LETTER

He, Himself, Drew It up, He Says in Reply to Charges Made Friday.

UNDERWOOD STATES HIS OWN POSITION

Will Vote for Treaty Just as He Voted for the Versailles Pact.

WASHINGTON, March 11. — The four power Pacific treaty passed through another spectacular combat of argument and oratory today on the floor of the senate.

Throughout the battle of wits the burden of defense was carried by Senator Underwood, of Alabama, the democratic floor leader and a member of the American delegation to the arms conference. Ringed by enemies of the treaty, largely of his own party, the minority leader stood for three hours in his place in the center of the chamber and replied in kind to the thrusts directed at him.

Among the weapons of argument used by the Alabama senator was a letter written to him by Secretary Hughes, head of the American conference plenipotentiaries, replying to charges that the treaty resulted from a British-Japanese plan to ally the embarrassments of the Anglo-Japanese alliance. Mr. Hughes asserted that he himself had prepared a draft of the treaty after consultation with the other delegates and that, with minor changes, it became the final text as signed and submitted to the senate for ratification.

The secretary further declared there was "not the slightest mystery about the treaty or basis of suspicion about it." He described it as a "straightforward document which attains one of the most important objects the American government had had in view of the highest importance to the maintenance of friendly relations in the far east upon a sound basis."

"In view of this and in view of the relation of this treaty to the results of the conference," concluded Mr. Hughes, "its failure would be nothing short of a national calamity."

The argumentative duel which followed the reading by Senator Underwood of the secretary's letter and which interposed itself in the senator's prepared address was fought for an hour between the speaker and Senator Robinson, democrat, Arkansas, who originally had raised the question of the origin of the treaty and who declared that the secretary's letter had not dispelled evidences that the four power arrangement was inspired from London and Tokio. Other democrats then joined in the questioning of their party leader including Senators Reed, of Missouri, Glass, of Virginia, Walsh, of Montana and Watson, of Georgia. From the republican side of the chamber there efforts were seconded by Senators Borah, of Idaho, and France, of Maryland.

His support of the treaty, Senator Underwood said, was actuated by the same spirit that prompted him to vote for the treaty of Versailles with its league of nations. He declared no alliance was contemplated, but added that he could see no objection even to an alliance if it were based on arbitration rather than force and effaced dangers that threaten American interests in the Pacific. To reject the pact because it does not bind the signatories to employ force, he asserted would be to revert to the exploded philosophy of the past.

The democratic leader conceded that the negotiations leading up to the treaty were carried on in secrecy, but argued that such a course was necessary in view of the peculiar circumstances surrounding the effort of the American delegation to rid the world of the Anglo-Japanese alliance. In the main, he said, the arms conference was conducted more openly than any similar consultation in the history of the world.

Senator Robinson insisted, in turn, that provision for consultation among the signatories to agree on a course of action in case of aggression by an "outside power" could mean only that the force of all four was to be united against the aggressor. When any such consultation took place, he argued, and any one power signified that it was not able to meet the attack alone the only means the others could suggest was united action. He asked that Mr. Hughes now inform the senate why he had remained silent so long as to the method by which the treaty was drafted.

Because of a desire by many senators to complete work on an appropriation bill, administration leaders did not carry out their purpose to force a vote today on the first of the proposed reservations and the treaty was laid temporarily aside without action. Senator Lodge, of Massachusetts, the republican leader, announced, however, that on Monday he would attempt to secure an agreement for a time for voting, and should he fail would hold the senate to "long sessions," until the debate had worn itself out.

Although they cared to make no numerical estimates, the republicans and democratic floor leaders both remained confident tonight that no reservation except that drawn by the foreign relations committee would be adopted and that the treaty would have a safe majority on the ratification roll call. They declared that more than the necessary two-thirds had pledged themselves to support it.

NAVY PERSONNEL TO BE REDUCED TO 65,000 MEN

Around $170,000 Will Be Lopped From Denby's Estimate.

WILL REPORT ARMY MEASURE MONDAY

Naval Appropriation Cut Is Contrary to Wishes of Harding.

WASHINGTON, Mar. 11.—The house sub-committee on appropriations, now framing the navy bill for next year, is planning to reduce the enlisted personnel to 65,000 men. Secretary Denby is outlining the needs of his department has declared 90,000 enlisted men and the present officer total would be required to keep "the treaty navy" on its toes.

In a brief statement as to what might be expected in the way of economy, Representative Fess, republican, Ohio, told the house today he had been informed by Chairman Kelley, of the naval appropriations sub-committee, that from $160,000,000 to $170,000,000 would be lopped from Secretary Denby's estimate of $350,000,000 and that the army bill to be reported Monday would show a reduction of $85,000,000 below the war department estimate.

As an illustration of the drastic nature of the proposed cut in army and navy expenditures, Mr. Fess said that eight appropriation measures already reported to the house showed a total cut of $65,000,000.

The report that the committee expected to cut as deeply into the navy bill as indicated by the figures given by Mr. Fess caused some surprise among members in view of President Harding's statement to the naval committee at a White House conference that the enlisted total should not be lower than 80,000. With only 65,000 enlisted men there would necessarily be a sharp reduction in officers.

The committee, it was said, will authorize appropriations to provide commissions for only 135 of the 541 members of the first class at Annapolis to be graduated in June.

A separate bill carrying approximately $75,000,000 will be reported to pay the cost of scrapping ships under construction as designated by the arms conference. Estimates of this cost have run as high as $150,000,000 and a separate bill will be passed after ratification of the treaties so as not to charge the expense against navy operation next year.

MRS. TABOR IS NOW A PUBLIC CHARGE

LAWTON, Mich., Mar. 11.—Mrs. Sarah I. Tabor, nationally known for her connection with the Lawton murder mystery, and until a few years ago one of the wealthiest women in Southwestern Michigan, has become a public charge. Mrs. Tabor spent her fortune in defending herself during trial on a charge of manslaughter in connection with the death of her daughter, Maud Tabor Virgo, whose body was found in the Tabor home jammed into a trunk. The prosecution charged she had died from the effects of an anesthetic administered during child birth. The jury disagreed and Mrs. Tabor was not tried again.

Mrs. Tabor, to escape the scene of her trial, went to Lake county, in Northern Michigan. Lake county authorities have notified local officials she has become a county charge. She probably will be placed in the county infirmary.

GOMPERS TO SPEAK IN STRIKE REGION

WASHINGTON, March 11.—Samuel Gompers, president of the American Federation of Labor, left Washington today for the New England textile centers where he will make a series of addresses before strikers' mass meetings. He will speak at Providence and Manchester, N. H., tomorrow and will follow out afterward an itinerary arranged for him by the United Textile Workers, whose members have left the mills.

AGRICULTURAL BILL IS NOT YET PASSED

WASHINGTON, March 11. — The house failed to dispose of the agricultural appropriation bill today and a final vote on the measure went over until next week. During the day amendments were adopted increasing the amounts for enforcement of the cotton future act from $146,540 to $175,000 and the appropriation for protection of reindeer and for hearing animals in Alaska from $46,500 to $61,000.

CONFIDENCE VOTE REFUSED GOUNARIS

LONDON, March 11.—According to a message received by Reuter's from a Greek semi-official source, the cabinet of Premier Gounaris will resign as a result of the adverse vote yesterday in the chamber of deputies.

The government suffered a defeat. Premier Gounaris was refused a vote of confidence, the vote being 161 to 156.

REDS STILL SEEK TRADE RELATIONS

MOSCOW, March 11.—Leonard Krassin, commissioner for foreign trade in the soviet government, is quoted in an interview published in local newspapers as declaring that an agreement had been "prepared" with the Guaranty Trust company, of New York, for banking relations with the new state bank of Russia.

Grand Jury Will Investigate Trial Of Labor Leaders

Judge Says Chicago Must Determine if Gunmen Shall Rule

CHICAGO, March 11.—Declaring that some Chicago labor unions are ruled and controlled by professional criminals, Chief Justice Scanlan, of the criminal court today charged a special grand jury to investigate what he termed "gross miscarriage of justice" in recent trials of labor leaders here.

"Now we have reached a time in Chicago when we are to determine once for all," he said, "whether this band of gunmen is going to rule this community and destroy law and order in our midst, or whether this city, calling itself the most wonderful city in the world, is able to master these miscreants just as it mastered the anarchists."

Judge Scanlan declared that "a vast conspiracy" existed among the labor leaders to place themselves above the law.

"The reign of terror created by these labor criminals has so intimidated Chicago citizens that a species of yellow men has sprung up," he said. "It remains to be seen whether they are able to conquer red blooded Americans."

NEW APARTMENT HOUSE WILL BE ERECTED IN CITY

Chestnut Street Property Will Be Scene of $85,000 Improvement.

Erection of a modern apartment house on Chestnut street, costing approximately $85,000, with 20 apartments, will be started about April 1, it was announced yesterday by Thomas S. Rollins, prominent member of the Asheville bar, who will erect the building. The apartments will be on property adjoining the residence of the late Judge Jeter Conley Pritchard.

The building will be three-stories in height and will be one of the most modern apartment buildings in this section, he stated. Each apartment will contain from three to five rooms, with private bath and the building will be steam-heated. An added feature will be eight brick garages, constructed in the rear of the building, for the convenience of residents having automobiles.

Mr. Rollins stated yesterday he is in communication with a number of brick companies and will obtain quotations on a half million brick for the building, which will be entirely fireproof. It is planned to have the apartments ready for occupancy about September 1.

Several handsome offers have sidered for the building and the Commodore, Arlington or Burlington Apartments are among those receiving consideration.

Chestnut street, Mr. Rollins asserted, is one of the principal residential streets of the city, located about midway between the business section, the Grove Park Inn, the Manor and country club, and there is not a more desirable location for an apartment house in the city than the location selected.

Seveal hapdsome offers have been made to Mr. Rollins for the site and this firmly impressed upon him the idea the time is ripe for a new and modern apartment building, he stated.

After consideration, he stated, an elevator will not be installed, but ample stair space will be provided leading to and from each floor. Garbage chutes, dumb elevator service, in fact all equipment of the latest type apartments will be installed, he asserted. Built in kitchen fixtures, cabinets and bath fixutres will be an outstanding feature.

Tentative plans have been completed for the building and architects will begin plans in preparation for arranging for work to begin at once, Mr. Rollins stated. The contracts will probably be let by the owner and the building erected under his observation.

SWATHMORE WINS ANNUAL DEBATE

(Special Correspondence, The Asheville Citizen)

DURHAM, March 11.—In the tenth annual intercollegiate debate between Swarthmore and Trinity at Trinity tonight, the Swarthmore debaters, arguing against the passage of a law by congress to provide for a sales tax won a two to one decision of the judges. Representing Swarthmore were Alfred Zinn, Richard Slocum and C. N. Stabler. Representing Trinity were W. Q. Grigg, of Lawndale, N. C.; B. I. Satterfield, of Roxboro, N. C., and L. S. Brady, of Durham, N. C., and New York.

BIG DAMAGE DONE AT MOUNT VERNON

MOUNT VERNON, Ga., March 11.—A large concrete culvert on the East river was wrecked by the flood of the Oconee river today. The breach at 5 o'clock was 100 feet wide and the opening was widening rapidly. Water is rising rapidly. Damage of several thousand dollars has been done already.

HOOVER REJECTS BUSINESS OFFER

WASHINGTON, March 31.—Declaring President Harding had "strongly expressed the wish" that he remain in the cabinet, Secretary Hoover today informed Mayor J. Hampton Moore, of Philadelphia, he could not accept the director-generalship of the Sesqui-Centennial exposition to be held in Philadelphia in 1926.

$30,000 ROBBERY STAGED

BROWNSVILLE, Pa., March 11.—Albert Flemming, manager of the W. J. Rainey and company store at Allison, Pa., and C. O. Evans, chief clerk, were robbed of approximately $30,000, the company's mine payroll, by six bandits who held up a trolley car three miles from here today. Elmer Hill, who accompanied Flemming and Evans as a guard, was shot but not seriously wounded. The bandits escaped in an automobile.

LESLIE REPORTS

PHILADELPHIA, March 11.—Jack Leslie, first baseman obtained by the Phillies from New Orleans, reported to the National leaguers camp at Leesburg, Fla., yesterday and made a good impression in his first workout.

MANY KILLED IN AFRICAN STRIKE; TERMED REVOLT

Scottish Detachment Ambushed, 18 Killed, 25 Wounded by Strikers.

80 ARE BELIEVED KILLED ON FRIDAY

Workers Hall, Filled With Gold Miners, Said Bombed by Airplane.

JOHANNESBURG, Mar. 11—(By the Associated Press.)—A Scottish detachment was ambushed at Benoni today by strikers hidden in a plantation who suddenly poured a heavy fire into the soldiers, killing 18 of them and wounding 25. Most of the detachment were ex-service men.

The Rand Daily Mail places Friday's casualties at 600, of whom 80 are believed to have been killed. The casualties among the strikers are not known.

The situation is regarded as somewhat improved today.

REPORT AIRPLANE BEING SHOT DOWN

JOHANNESBURG, Mar. 11.—Vast crowds were still in the streets at the time this dispatch was filed (presumably after martial law had been declared, as recounted in a previous message) and firing is heard every few minutes.

It is reported from Benoni that an airplane has been shot down, the pilot being killed.

Casualties in the fighting between the striking miners and police had reached 32 killed and 57 wounded by 9 o'clock Friday, when the firing was still continuing. Of the 32 killed, 19 were policemen.

By 11 o'clock Friday night, however, the streets had become absolutely deserted and the town was uncannily quiet. The public was forbidden use of the streets.

The workers hall at Benoni is reported to have been hit by a bomb dropped from an airplane. The heaviest casualties in the district are believed to have been suffered in the extreme eastern section of the Rand.

So far no news has been received from the western Rand.

General Reyes, commanding the Witwatersrand has ordered the public to remain indoors from 7 p. m. until 6 a. m.

Jeppe, a suburb adjoining Johannesburg, was seething with strikers this afternoon. Most of the men were armed, and some carried bombs. They are credited with planning to hold up the police in that area so as to prevent them from reinforcing other points, particularly Fordsburg, where intermittent firing was continuing today. At Brakpan and Benoni, the strikers apparently had obtained the upper hand, at least temporarily, and numbers of dead and wounded were lying in the streets.

MOVEMENT SAID TO BE REVOLUTIONARY

LONDON, Mar. 11.—(By the Associated Press.) — The trades hall at Benoni, near Johannesburg, crowded with South African gold mine strikers, was bombed by an aviator today, says a Central News dispatch from Johannesburg. The majority of those assembled were killed and the building was destroyed.

The general strike called by the miners' leaders at Johannesburg is in reality a revolutionary movement, according to the Cape Town correspondent of the Daily Telegraph. The strike issue has been eclipsed by the threat against the state, he says.

There was some speculation over Premier Smuts' delay in proclaiming martial law which was regarded as gravely overdue but it is understood he was actuated by fear that such a step would precipitate a conflict in which the strikers, who are mainly Dutch, might be reinforced from the veldt.

The Johannesburg correspondent of the same newspaper reports that numbers of Dutch farmers in the Boksburg and Benoni district have joined the strikers and formed mounted commands which attacked Benoni.

The Times Johannesburg correspondent on the other hand, ascribes the trouble to a widespread bolshevist plot and says the Fordsburg commando regards itself as a red guard. He adds that fighting is in progress throughout the Rand, the most severe trouble being in the eastern section. He believes that the police will soon gain the upper hand in Johannesburg and Benoni but admits that owing to the prevailing chaos, it is very difficult to verify the various reports.

GENOA MEET MAY BE CUT, IS VIEW

LONDON, March —.—The Daily Mail today says that the refusal of the United States to participate in the Genoa conference so greatly deprives the conference of importance that some doubt is felt in political circles whether it will be held at all, and that its abandonment may be only a question of days.

The newspaper adds that by America's abstention the conference loses any utility it may ever have conceivably possessed and denounced it as a costly and grandiose scheme for humoring the Germans and the bolsheviki.

FRANK V. BURTON DIES, AGE 67

NEW YORK, March 11.—Frank V. Burton, senior member of the cotton fabrics house of Burton Brothers and company, died at his Park avenue home today of bright's disease after an illness of two months. Born in New York city 67 years ago, Mr. Burton has been widely known in the dry goods trade.

DISMISS WESTERN ELECTRIC CHARGES

WASHINGTON, March 11—Dismissal of complaints charging the Western Electric company of New York with unfair competition and violation of the typing contract section of the Clayton act, was announced today by the Federal Trade commission.

Hot Fight Ahead For Army Finance Bill is Declared

Will Report Favorably Reorganizing Army Officer Personnel

WASHINGTON, March 11.—Favorable report was voted by the house military affairs committee today the bill to authorize the war department to reorganize the army's official personnel without cutting the number below 12,000.

The action of the committee was taken to presage a hot fight on the army appropriation bill which provides pay allowance sufficient only for the maintenance of an army of 115,000 men and 11,000 officers.

Chairman Kahn of the military affairs committee announced today he would fight the pay provisions and support the officer personnel figure set in the officer reorganization bill reported today by his committee.

The officer bill as reported authorizes appointment of a "picking board," to weed out "least effective" officers. The present officer strength is about 12,900. At a hearing before the committee General Pershing said the department proposed to discharge 900 officers and then to build up the officer strength to 13,000 by commissioning men in the junior grades.

BABE BURNETT EXONERATED OF MURDER CHARGE

Charged With Slaying Officer—Asheville Attorneys in Suit.

(Special Correspondence, The Asheville Citizen)

BRYSON CITY, March 11. — Jury in the superior court here after deliberating some three hours, tonight returned a verdict of not guilty in the case against Babe Burnett, charged with the murder of Hal Rose, prohibition officer on October 25, 1920.

People from all parts of Swain county came to town, to hear the testimony in this case and interest was at high pitch. The trial began Friday morning and testimony was closed this morning. Judge Walter E. Brock, of Wadesboro, presided.

The exoneration of Burnett came after the supreme court of North Carolina several weeks ago, had granted the defendant a new trial. At the first trial he was found guilty of murder in the second degree and sentenced to serve 42 years in the state penitentiary. He immediately filed notice of appeal.

Rose was killed, it is said, when he, in company with other officers, attempted to conduct a whiskey raid. Immediately after the shooting Burnett fled and several months later he gave himself up. In surrendering, Burnett said he was tired of being hunted and living in fear of capture and believed he would come clear when he was tried.

Appearing for the defense were Attorneys G. L. Jones, of Asheville; Felix Alley, of Waynesville and Thurman Leatherwood, of Bryson City. The case was prosecuted by Solicitor Gilmer Jones of Franklin, Thomas J. Harkins, of Asheville, J. B. Smathers, of Canton and John Harwood, of Bryson City.

SCIENTIFIC GHOST HUNTER IS ON JOB

Indications Are He Has Learned Secret of Halifax Mystery.

HALIFAX, N. S., March 11.—Dr. Walker Franklin Prince, scientific ghost hunter, today withheld news of what happened last night in the haunted house of Alex MacDonald at Caledonia Mills.

This fact, taken in connection with an announcement by Dr. Prince that he would leave the haunted house next Monday morning gave rise to reports that Dr. Prince had captured the ghostly visitor, or at least had discovered who or what it was.

The investigator supplied last night all the ghost bait he could think of. The MacDonald lares and penates were restored to their old places in the house and the MacDonalds themselves—Alex, Mrs. Alex and little Mary Ellen, their adopted daughter—slept in their old rooms, in their old beds.

Tonight Dr. Prince will keep vigil with Harold Whidden, Halifax reporter, who claims to have been slapped by ghosts, and other newspapermen.

Sunday night Dr. Prince will shoo the reporters out and single-handed, dare the ghost to come forth and scare him.

TRIPOLI SCENE OF BIG REVOLUTION

ROME, Mar. 11.—A revolution on a large scale has broken out in Tripoli says a dispatch to the newspaper Il Mondo from its correspondent in the capital. The rebels have cut the railway in many places and attacked the Italian garrisons.

At Azizia two companies of Italian soldiers surrounded by rebels are receiving food dropped from airplanes.

The Italians have evacuated Chater and Zavia. The latter is on the coast about 125 miles east of the city of Tripoli.

POSTAL SAVINGS SHOW AN INCREASE

WASHINGTON, March 11.—Indication of improvement in the general industrial situation was seen by officials in the report today of February postal savings transactions, showing a slight increase in deposits over withdrawals for the first month since January, 1921. The total net deposit on March 1 was shown to be approximately $145,000,000. Substantial increase in deposits was reported generally by the larger post offices, it was said, but these were largely offset by the decreases at the smaller offices. Considerable improvement in the latter was expected, however, with the approach of spring.

Allied Ministers Agree Upon Dividing German Reparations; American Claim Is Disregarded

Federal Intervention In Case Of Coal Strike, To Continue Essential Work, May Be Asked

DAYTONA, Fla., March 11. — (By The Associated Press.)—Intervention by the government in the event of a coal strike, to secure sufficient fuel for the movement of trains and running of essential industries, may be recommended to the administration, according to an official with the Presidential party, who has been following closely developments in the situation resulting from a failure of miners and operators to make a new contract to replace the one expiring March 31.

Consideration might also be given to a program which would provide for a commission composed of representatives of the operators, miners and public, to be charged with efforts of arbitrating the controversy, the official added.

President Harding, however, has made no comment on the situation and it was emphasized the expressed views in no manner reflected those of the chief executive, but were merely those of the spokesman. Failure of arbitration, it was added, might result in a suggestion for more drastic action including operation of the mines by the government as an extreme resort.

HARDING IS GUEST OF E. B. M'LEAN

NEW SMYRNA, Fla., March 11. —(By The Associated Press.) — Three days after leaving Washington found President Harding tonight aboard the houseboat of E. B. McLean, Washington publisher, continuing a vacation down the Florida east coast. Benefit to the President is already evident, Brig. General Sawyer, the President's personal physician, said today.

The President, who is accompanied by Mrs. Harding, Mr. and Mrs. McLean and the party of officials who accompanied them from Washington, has stopped at points where opportunity offered and played golf.

Playing with him have been Speaker of the House Gillett, Under Secretary of State Fletcher and Mr. McLean, with Secretary Christian in the foursome at times when one of the others did not play.

The party spent last night on board and today stopped at Ormond for a round of golf. A motor trip was made to New Smyrna, where nine holes of golf were played this afternoon and tonight the party continued the cruise down the coast, leaving here at 6 o'clock.

Requests for the President's opinion on the newest proposal for the bonus brought from officials close to Mr. Harding a reiteration of his position outlined in his letter to Mr. Fordney in which he suggested the enactment of a sales tax to provide the necessary funds or postponement of the legislation. No other statement administration officials said today, has been authorized.

One official, commenting on the threatened coal strike, said, emphasizing that he was speaking his government must see that the railroads personal views only, that the roads and essential industries have a sufficient supply of coal regardless of the outcome of the controversy.

No comment of any kind on this matter has come from President Harding.

Just now how far down the east coast the cruise will extend is uncertain and apparently depends upon the condition of the weather and the demands of official business. Secretary Weeks, who had been vacationing at Miami, remained at St. Augustine after meeting the Presidential party. It is understood he will stay there the rest of the week.

PAWN TICKETS IN LINDSAY'S HOME BEING UNEARTHED

District Attorney Finds "Domino Club" Man Borrowed $43,153.

NEW YORK, March 11.—One hundred thirteen pawn tickets, upon which loans totalling $43,153 had been made by five different pawn brokers were found today in the Nyack home of Alfred E. Lindsay, former stock broker, under indictment for obtaining approximately 11,000,000 from society women on fraudulent stock deals.

The search conducted by Assistant District Attorney Murphy, revealed the pawn tickets hidden in desks, drawers and closets. The tickets showed that jewelry, furs, silverware and other articles had been pledged at frequent intervals over a period of seven years. They were all made out in the names of "Lind" or "Post" and ranged in amounts from $10 to $2,100.

Mr. Murphy estimated the actual value represented by these articles would exceed one hundred thousand dollars. He is searching for additional tickets which Lindsay claimed he lost in a New York restaurant.

An alleged confederate of Lindsay, Dr. K. Arvid Enlind, was released from Tombs prison today in $10,000 bond. He has been aiding the prosecution in collecting evidence against Lindsay.

MAN SHOT THREE TIMES, MAY DIE

(Special Correspondence, The Asheville Citizen)

CHARLOTTE, March 11.—Ben. C. Mickle, of Pawcreek township is in local hospital with three bullet wounds in his body and is considered fatally injured, having been shot this morning about 7 o'clock by Andy Bullware, of Thrift, near Charlotte. One bullet went through the left lung and the other two through his left arm. The shooting took place at the home of Bullware. Mickle was a foreman and was boarding at Bullware's.

Bullware stated at the jail this afternoon that he shot Mickle about his wife and daughter.

SEARCH BARGES BOOZE NOT FOUND

PENSACOLA, Fla., March 11.—According to members of the crew of the tug Sea King, which just arrived in port, while off Key West several days ago with two barges, the J. S. McGaughey and Douglas in tow, the revenue cutter Rossoe ordered the tug to stop. The order was not understood by those on board the tug, so the cutter fired a shot across the bow of the Sea King. The tug and barges were searched by revenue officers, but no liquor was found.

LEAGUE NATIONS PAYMENTS OVERDUE

LONDON, March 11.—Twenty-one members of the league of nations have not paid their subscriptions for last year, according to an announcement in the house of commons.

FRENCH DISCOUNT RATE IS LOWERED

PARIS, March 11.—(By The Associated Press.)—The Bank of France today lowered its discount rate from 5½ to 5 per cent.

COURT RELEASES GEORGIAN ASKED FOR EXTRADITION

Papers for George Nichols Held Not Sufficiently Certified.

TUSCALOOSA, Ala. Mar. 11.—Following hearings of the habeas corpus proceedings instituted in behalf of George Nichols, in jail here charged with committing murder in Rome, Ga., in 1870, Judge H. B. Foster ruled that the papers submitted for Nichols' extradition to Georgia were not sufficiently certified.

The warrant on which Nichols was arrested charged that he killed Peter Mooney in the George city more than 50 years ago, and that his real name is Hiram Casey Nettles.

Mrs. George Nettles, said to be a divorced wife of the accused, was put on the stand during the hearing here, and stated she first met Nichols at the home of his sister in Anniston, and that his sister introduced him as Nettles. They was married 18 years ago at Birmingham, she said. She declared the first time she heard him called Nichols was the first night after her marriage to him, when he was addressed as Nichols by a hack driver on their arrival at Tuscaloosa. It was that night, she testified, that he explained his alias and admitted, according to her testimony, that he had killed Peter Mooney. She declared that their first children was named Hiram Carl Nettles.

A Rome, Ga., man named Treadway, 69 years old, was also a witness and after viewing Nichols declared:

"To the best of my judgment he is Hiram Nettles, whom I used to know."

MOTION FOR TRIAL UNDER ADVISEMENT

MACON, Ga., March 11.—Arguments on a motion for a new trial for Frank B. Dupre, Atlanta bandit who is under a sentence to hang, were completed here before Judge H. A. Mathews shortly after 8 o'clock tonight. Judge Mathews announced that he would take the case under advisement. He announced no date as to when he will render his decision.

Lawyers in the case, all from Atlanta, took up the day in their arguments.

Lawyers for the defense pleaded for a fair jury trial, charging that one third of the jurors who sat on the case at the trial in Atlanta, were prejudiced against Dupre.

ARKANSAS ENTERS LIST OF CLAIMANTS

WASHINGTON, March 11. — The state of Arkansas today entered the list of claimants to the bed of Red river, now in dispute in the Supreme court between the federal government, the states of Oklahoma and Texas and private individuals. Arkansas, under a motion for permission to intervene in the dispute filed by Attorney General Utley, also asserted its title to a large part of the state of Texas.

MILAN SUSPENDS FORMER "COMER"

WASHINGTON, March 11.—Manager Milan of the Washington Americans, has suspended Leon Gosslin, the young outfielder obtained from the Columbia club of the South Atlantic league, for breaking training rules, word from the Tampa camp says.

HUGHES' DEMAND TENDS TO ANNUL REPARATION PLAN

French Official View Is Given Out on American Army Claim.

CLAUSE RESERVES AMERICAN RIGHTS

American Claim May Be Adjusted in Diplomatic Channel.

PARIS, Mar. 11.—(By the Associated Press.)—The allied finance ministers signed an agreement this afternoon for the distribution of the first billion gold marks of German reparations. The agreement disregards the American claim of priority for its expenses in connection with occupation of the Rhineland so far as the actual sharing of this money is concerned, but recognizes the claim by a special clause which states that all the agreements on this question are subject to the American rights as the various governments may establish them, the finance ministers considering that they do not have power to decide this question.

The ministers decided, after long discussion, that the question was not for the reparations commission to decide, because that body was acting solely under the provisions of the treaty of Versailles, to which the United States no longer was a party. Consequently, it was decided that the question was one for the various governments concerned to settle.

The finance ministers also concluded that it was impossible for them in any case to reopen the long and difficult deliberations which resulted in the present agreement so they could only reserve the American right and leave the question for diplomacy to settle.

HOW AGREEMENT PRORATES FUNDS

The agreement provides that the expenses of the armies of occupation after May 1, 1921, shall be divided as follows:

One hundred and two million Belgian francs to Belgium; 2,000,000 pounds sterling to Great Britain and 460,000,000 French francs to France. The distribution of deliveries in kind by Germany in 1922 will be on the basis of 65 per cent to France and 35 per cent to the other allies. The Wiesbaden agreement will continue in force for three years, with the reservation that payments will not exceed 350,000,000 gold marks worth of material in 1922; 750,000,000 in 1923 and 750,000,000 in 1924. Other powers besides France, under the agreement, are permitted to conclude arrangements with Germany similar to the Wiesbaden agreement, provided such agreements do not call for deliveries in kind in excess of the total amounts fixed by the present agreement.

A French semi-official says that the American claim comes exactly at the moment when the accord based on the Cannes project was about to be realized and that it tends to destroy the whole system of reparations so laboriously elaborated by the allied experts.

"TOO LATE FOR U. S. TO SHARE"

The Echo de Paris declares it is undoubtedly too late to give the United States its share of the one billion gold marks paid by Germany on August 30 last, as Belgium and England already have received their allotments. The allies certainly can not refuse to give the United States its due, the newspaper adds, but "this question must be determined—of what utility is an American army on the Rhine if it isn't in political cooperation with the allied governments?"

The memorandum states that the cost of the American army of occupation to May 1, 1921, was about $241,000,000. It sets forth that the allied governments with the exception perhaps of Great Britain, had received payment for their armies of occupation and that probably the British also were covered by a preceding arrangement. Therefore, the memorandum states, "the United States counts upon obtaining integral payment for the cost to May 1, with interest, before any part of the German payments are distributed for reparations or other object."

GEORGIA'S MELLON TRADE THREATENED

Hoke Smith Says Rates Will Check if Not Wholly Destroy It.

WASHINGTON, March 11.—Present freight rates "will check if they do not destroy the watermelon business of Georgia," former Senator Hoke Smith of that state declared today at the Interstate Commerce commission's inquiry into general transportation levels.

"If the freight rates on watermelons," asserted Senator Smith, "are lowered to a figure which will leave a profit for the growers it is probable that this business will increase and be profitable to the growers."

Senator Smith asserted that melons are shipped during the period when railroads have normally the lightest volume of traffic and require no special equipment. Consequently from the economic point of view, he added, the railroads should decrease the charges.

Watermelons, manufactured iron and steel, cast iron pipe and building materials, Senator Smith declared, are given identical rates under freight classifications and this of itself he considered unfair. Unless reductions are granted by summer, he said in concluding, "railroads can not look further to any considerable freight from Georgia out of melons."

Oratory expected to wind up the Interstate Commerce commission's investigation into general rate levels over-ran the limits set for it today and the closing of the proceeding was postponed until Monday. Alfred P. Thom, general counsel for the Railway Executive association, then will make final argument.