

Lull In Oklahoma Expected

Governor Gets Injunction Against the Election Board Hearing Set for October 9

(By Associated Press)
Oklahoma City, October 4.—Governor Walton's attack on the legality of yesterday's election on a constitutional amendment to permit an impeachment session of the state legislature was in full swing tonight with more than a third of the returns in the state not yet tabulated.

His first gun in the after election fight was fired today when the obtained in state district court a temporary restraining order preventing the state election board from certifying the returns to the secretary of state.

Hearing on the application to make the order permanent was set for October 9. Observers on both sides anticipated a lull in the contest between the governor and the legislature until then. The order was granted by Judge Tom G. Chambers Jr., an appointee of Governor Walton.

In his application the governor alleged the election was illegal because the proposed constitutional amendment submitted were not properly advertised before the election. He declared that thousands of armed special deputies committed intimidation voters and that this combined with alleged influence exerted by the Ku Klux Klan had kept more than 200,000 persons from the polls.

Close advisers of the governor de-

clared the election yesterday could not be regarded as a repudiation of him. They pointed out that in the general election of 1922 more than 500,000 votes were cast while in yesterday's election they estimated the total vote will not exceed 300,000 when the official count is made. They explained that they expected 75,000 of the votes cast to be against the amendment. This they pointed out would leave only 225,000 cast by the Ku Klux Klan and other adherents, making the total of those who did not vote for the amendment more than 275,000.

Interest in the tangled situation will shift tomorrow to a hearing in state district court of an injunction sought by members of the legislature to bar the governor and his representatives from interfering with their attempt to convene an impeachment session.

Meanwhile a new attack was launched today against the official acts of Governor Walton by Campbell Russell a political opponent of the governor who circulated the initiative petition for the legislature referendum. This time he circulated a petition for a grand jury in district court here to investigate charges that Governor Walton has misused public money and to inquire into the appointment of thousands of state "secret service" agents by the executive.

Armed Convicts Hold Their Guards At Bay

Eddyville, Ky., October 4.—Three convicted murderers, cornered in the dining room of the Eddyville state penitentiary plant here today after they had killed one guard and wounded three others in a desperate attempt to shoot their way to liberty still were besieged today.

Ringed round with a grim circle of prison guards reinforced by scores of citizen riflemen the convicts held to their barricade exchanging an occasional shot with the besiegers.

No concerted attempt to rush the improvised fortress of the convicts was made during the day and tonight was a machine gun troop of the national guard from Hopkinsville and the tear gas squad from the Louisville police department coming to help prison authorities meet the situation officials expected to determine what course to pursue after a conference with leaders of the reinforcements.

Hodge Cunningham of Cadiz, guard was killed in the first fusillade fired by the convicts. Guards wounded were W. M. Gilbert of Breckinridge county, believed fatally shot; W. P. Gillihan, Lyon county shot through hips and V. B. Mattingly Leitchfield shot through the body. Gilbert and Gillihan were taken to a Paducah hospital but Mattingly whose death physicians said was a matter of hours was kept here.

Mattingly laid for nearly six hours in the spot where he was shot down exposed to fire from the barricaded convicts. His fellow guards were unable to respond to his appeals for water and attention for his wounds.

A prisoner took water to the wounded man. Mattingly refused to let the convict carry him to safety, fearing the barricaded men would shoot him to death in his rescuer's arms. He was able eventually to drag himself to a point where rescuers could reach him without being exposed to fire.

The convicts Monte Walters of Louisville; Lawrence Griffith, Mayfield and Harry Ferland, Covington or Newport initiated their desperate bid for freedom in the shirt factory of the prison early today according to Guard Gillihan. Between 40 and 100 convicts were in the room, Gillihan said when the three men seized and bound Lee Scholes lone guard there and with automatic pistols in their hands made a dash for the main entrance to the prison yards, firing at every guard they met.

The shots attracted guards from all parts of the prison to the scene and under a heavy fire the convicts were forced to take refuge in the dining room a two story brick building in the center of the prison grounds.

From vantage points in upstairs windows of the dining room the convicts were able to direct a withering fire which forced the guards to take cover. An alarm quickly was sounded and citizens from the neighboring countryside seizing their nondescript arms as were available quickly added their strength to the besiegers.

Prison officials obtained a machine gun from a coal mine company at Nortonville and this was trained upon the barricaded building during the afternoon. Governor Edwin P. Morrow ordered troop C. of the national

HEAD OF MAN FOUND BY GROUP OF BOYS

(By Associated Press)
Pittsburgh, Pa., October 4.—Three boys playing on the bank of the Monongahela river tonight found the head of a man imbedded a foot or more in the sand. The head is believed to be that from the headless body of a white man found today in the girl's dressing room of the Southside bathing pool. The boys among hundreds of others who searched the river bank all day were attracted by a few whips of hair in a pile of small rocks and sand with sticks they uncovered the head which was taken to the morgue and placed beside the headless body. The body remains unidentified tonight but language experts declared that an inscription in Arabic tattooed on the left arm was the name "Hassan Hahmod."

FOOTBALL—LEAGUE PARK

Saturday October 6, 3:30 P. M. Denville Military Institute vs Leaksville High School. First game of the season. Come out and see the greatest sport in the world.

EARTHQUAKE IN TOKIO TODAY

(By Associated Press)
San Francisco, October 4.—An earthquake in Tokio today severe enough to attract attention in Kobe reported in a wireless message to the Federal Telegraph Co. No details were given.

HARVEY AND CHILD ARE SOON TO RESIGN

Washington, October 4.—President Coolidge is receiving recommendations of candidates to succeed Ambassador George Harvey and Ambassador Richard Washburn Child, both of whom are expected to retire in the next few months. Former Ambassador Charles Warren who recently negotiated the agreement with Mexico is understood to be ambitious to succeed Mr. Harvey at London.

So too is John Hays Hammond recently head of the coal commission. Mr. Hammond resides in Massachusetts and that is supposed to operate against his chances as Massachusetts has enough important places already.

Ambassador Myron T. Herrick would like to be transferred from Paris to round out his career at the court of St. James but this change is unlikely. Ambassador Henry T. Fletcher may be moved from Brussels to Rome.

Both Ambassadors Harvey and Child have found the expense of serving their country abroad too great. Neither is a rich man. Both had informed President Harding of their wish to retire. They have been prevailed upon to remain in office for a while until president Coolidge can acquaint himself with the situation.

guard machine gun company at Hopkinsville to the scene and Louisville sent four tear gas guns in charge of the tear gas squad of the Louisville police department to the scene.

Eddyville, October 4.—Hemmed in by graystone walls of the western Kentucky state penitentiary, three convicts murderers who yesterday killed one guard and wounded three others, one of whom died today in an attempt to shoot their way to freedom were barricaded in a two-story brick dining room building apparently conserving ammunition for their escape.

From behind walls of their improvised fortress the desperadoes faced the ring of death stationed at vantage points were prison guards the national machine gun company and citizen marksmen from the countryside.

Authorities planned to use steam pipes to force tear gas and red pepper into the room in hopes of driving out the desperadoes without further loss of life.

FALLS IN ASPHALT; HARDENS. HAVE TO CHOP HIM LOOSE

Canton, Ohio, October 4.—After chopping with axes for more than 2 hours today workmen succeeded in rescuing P. P. Hassan, 36, from a block of asphalt where he had been imbedded all night. Only his head, right arm and shoulder were visible. Hassan fell over a small embankment into the pool of warm asphalt while walking near an asphalt plant last night. He became exhausted trying to free himself and lay down. In the meantime the asphalt hardened.

He calls for help were finally heard by a workman shortly before 6 o'clock this morning. Unconscious Hassan directed the cutting away of the asphalt which held him a prisoner. Hassan apparently suffered no serious effects.

LAMAR FALLS IN LOVE AND THEN IN PRISON

(By Associated Press)
Mexico City, October 4.—Trapped by a beautiful widow whose heart he believed he had captured David Lamar known as the "wolf of Wall Street" fell into the hands of American detectives here who had been pursuing him relentlessly for some time in an endeavor to take him back to the United States there to work out a sentence imposed on him in connection with a stock market transaction.

After he had been taken in custody Lamar was ordered expelled from the country as a pernicious foreigner but when he reached Torreón on the way to El Paso he secured a writ of amparo and thereby escaped immediate deliverance into the hands of the United States authorities at the border. The writ of amparo is an appeal against the expulsion order, and a hearing on it has been set for October 17.

According to the Mexican secret service Lamar entered Mexico from the state of New Mexico. Speaking English and French perfectly and quickly acquiring Spanish, Lamar, or Ernest Lamar Lemann as he called himself quickly became famous in certain Mexican and foreign circles.

The suspicions of local bankers were aroused over deposits made by Lamar and enormous financial deals he attempted to promote and inquiries were made of New York banks as to his standing. When those inquiries were answered both the Mexican and American authorities were advised.

Meanwhile a detective from New Mexico cooperating with a New York detective and Mexican secret service operatives got on Lamar's trail. Needing a photograph of Lamar to establish his identity the police secured the cooperation of a handsome widow a member of an American colony who said to have pretended to fall in love with the fugitive and to have agreed to elope with him. She obtained the photograph without exciting his suspicions.

Invited to form a new ministry
Berlin, October 4.—With the retirement of Chancellor Stresemann's coalition cabinet there is talk of the establishment of civilian dictatorship supported by martial law. Stresemann himself is spoken of well fitted for such an office.

Meanwhile he has been invited by President Ebert to form a new ministry.

NEGROES NAMED IN BILL

(By Associated Press)
Chicago, Ill., October 4.—Two Chicago negroes were reported to have been named in a true bill charging conspiracy after Mrs. Helen Elwood Stokes had testified before a grand jury concerning her charges of conspiracy to ruin her reputation in connection with New York divorce suit of her husband W. E. D. Stokes, wealthy hotel man.

THE GAZETTE IN EVERY HOME

Spruce Pine Normal; More Negroes Arrive

(By Associated Press)
Spruce Pine, October 4.—With negroes who were driven out of Spruce Pine last week by armed bands of angry citizens returning to their jobs on highway construction and in the mines this town today passed one of the most normal days since the troops came here last week, following an attack upon a white woman by a negro which caused the deportations.

Four negroes arrived this afternoon from Spartanburg, S. C. and as in the case of other negroes who have returned they were escorted to the construction camp by cavalry. Negroes who returned yesterday worked today on highway projects and were not molested by citizens.

Explanation of the mysterious lights flashed from one mountain top to another early this morning and which caused the dispatch of troops of soldiers to the mountains to investigate, were still lacking tonight. The soldiers found nothing out of the ordinary. Reports reaching

here are that many of the mountaineers are displeased at the return of the negroes but no one has molested those who have returned.

Arrest of the members of the mob which carried out the deportations is expected before the end of the week. A report current here today was that Governor Morrison is being urged to request the county authorities not to press the charges, a pledge being given that the returning negroes will not be molested.

Another report prevalent is that members of the mob are willing to submit to a minor charge in connection with the deportation and promise good behavior in the future. Neither of these reports was confirmed today in official circles and no indication has been given that the original plan to arrest and prosecute members of the mob had been altered.

Hundreds of Mitchell county citizens visited the tri-county fair here today and the crowds maintained good order.

CHICAGO JURY ACQUITS FRED THOMPSON THE IMPERSONATOR OF A MURDER CHARGE

Chicago, October 4.—Fred G. Thompson, who admitted being the husband of one woman while he lived as the wife of another man was found not guilty of the murder of Richard Tesmer shot in a hold up, by a jury here today, the verdict being returned after approximately 2 hours deliberation.

The case was given to the jury after Assistant State's Attorney McCarthy concluded his closing argument and Judge John R. Caverly read 39 instructions to the jury.

Thompson's attorney had stressed what he claimed was the feminine personality in Thompson and Judge Caverly at several times spoke of the prisoner as "lady."

Thompson taking the stand in his own defense near the close of the defense presentation of evidence broke down and sobbed like a woman declaring he could not kill a cat.

The defendant had been arrested by police on a tip that a man dressing repeatedly as a woman was seen going in and out of the apartment of Frank Carrick. The tip came shortly after the fatal shooting of Tesmer at the hands of a "smiling woman bandit" who with a male companion held up Tesmer and his wife as they drove up to their garage one night.

Mrs. Tesmer testified Thompson was the one who shot her husband. Thompson said he had dressed as a boy during childhood but "felt easier" in girl's clothes and when he later came to Chicago from Columbus Ohio, assumed a woman's attitude. He testified that he married Frank Carrick at Crown Point, Ind., in 1912 and later married Marie Clark.

Chicago, October 4.—Acquitted of a charge of having shot and killed Richard Tesmer wealthy insurance broker in a hold up last summer Fred Thompson last night resumed his feminine role that for 14 years permitted him to go unchallenged as a woman and 11 years ago marry Frank Carrick. The feminine instinct predominant Thompson exclaimed "My goodness I'll be glad to get some hairpins" as he was being led back to jail to be discharged. Carrick was not in the court room but Marie Clark the girl Thompson married because he said he sympathized with her was not present.

Atlanta, Ga., October 4.—The Georgia Cooperative Cotton Growers association today was granted a permanent injunction against Duffy Horton to prevent him from selling his cotton to dealers other than the association by the Superior court at Carrollton according to information received here today.

ROBBER LOCATED AND SHOT

(By Associated Press)
Paris, October 4.—After one of the most extensive and stubborn searches in the annals of the French police Gabriel Alphonso Mourey alias Henri Boilat master mind in the sensational Shattuck jewel robbery in New York in April 1922 finally located at Chilles and shot down while resisting arrest.

THE GAZETTE IN EVERY HOME