

## NOT HURRYING TO LAND GRISSOM IN FEDERAL POSITION

### Senate Finance Committee Will Take Its Time About Pass- ing On His Merits

### BUTLER ATTEMPTING TO START SOMETHING NOW

### Foxy Samsponite Trying To Pull Some "Strings" Against Morehead's "Handy Man"; Minority Report of Senate Finance Committee Roasts Iniquities of Tax Measure

The News and Observer Bureau,  
603 District National Bank Bldg.,  
By EDWARD E. BRITTON  
(By Special Leased Wire.)

Washington, Oct. 5.—The case of Gilliam Grissom, of Greensboro, secretary of the Republican State Committee of North Carolina nominated for collector of Internal Revenue for North Carolina by President Harding is in "the laps of the gods" for there is to be a wait till the Senate Finance Committee takes action on it, and it is understood that the committee is not going to be in a hurry to act.

Several reasons combine to bring the delay. The committee desires to have the views of Senator Simmons and Senator Overman on the matter, and they having understood that there are both Republicans and Democrats of North Carolina who may have protests to make, ask only a reasonable time to hear from the State. As the matter stands now neither of the two North Carolina Senators are opposing the confirmation of Mr. Grissom.

But there is something more than this. Former Senator Marion Butler has no love for Gilliam Grissom, and if he can do anything to block the nomination he is sure to do it. He has been advocating the appointment of William B. Duncan, of Raleigh, son of the late E. C. Duncan, and he is not going to let go now, even with the Grissom nomination before the Senate. And there are men now powerful in the Republican party who are standing up for the young Duncan because of the regard they had for his father.

Duncan has strong support. Among them are Senator Penrose, chairman of the committee which is to pass upon the Grissom nomination, Chief Justice Taft, Secretary of State Hughes, a list to which other names can be added. The rumor here is that appeals will be made to these Republicans in North Carolina to aid in defeating the confirmation of Grissom, for there is a big faction of North Carolina Republicans of all parts of the State who are against him, holding that he is merely the "handy man" of Republican National Committeeman John M. Morehead, and doesn't deserve the fattest of the Federal jobs in North Carolina.

That they will find a spokesman also in Senator Hiram Johnson is hardly to be doubted, for Grissom has made fun of Hiram. And he was a delegate to the Republican national convention at Chicago at which Senator Johnson says he was "betrayed" by the North Carolinians. And the negro Republicans may speak up against him and reach willing ears in the persons of those Republican Senators who have a large negro vote in their States. Also there are Democrats who would like to know about rumors that Gilliam Grissom, in the habit of denouncing Democrats in warm language, did not go beyond the limit in things he had to say about former President Wilson, and they may seek Democratic Senators to fight the Grissom nomination. For the present, however, the Grissom nomination is in cold storage.

**Democrats File Reports**  
The Democrats of the Senate finance committee today filed a minority report on the tax revision bill, this signed by Senators F. M. Simmons, John Sharp Williams, A. A. Jones, Peter G. Gerry, James A. Reed, and David I. Walsh. It is a lengthy document, going into details showing the injustices, the inequalities of the Republican revenue bill, that in it the Republican party has not fulfilled its promise to the people of revision and simplification of the tax laws, that the character of the taxes have not been changed and that there is no simplification. And the report says:

"The reductions that have been made are of a character and were apparently intended to be such that would relieve certain favored classes of tax payers at the expense of a great part of the tax payers." The dishonesty of the Republican party is set forth in the statement that: "Promises of economy and retrenchment were the basis of fronted appeals to the country for the return to power of the Republican party. President Harding, in his very first message to the Congress, appealed for a simplified tax system, but these promises the Congress has not fulfilled." The minority declares that there has been "an inexcusable juggling of figures and efforts to perform feats of legerdemain, apparently for the purpose of concealing from the country the actual condition of the finances and disguising the incompetency of the party in power to formulate a system of taxation just and equitable and adequate for the fiscal requirements of the government," and gives the figures in detail to show the justification of this criticism, the estimates and appropriation figures of Secretary Mellon being used, and reference made to his recommendation for documentary stamp taxes by doubling the present rate, a stamp tax of two cents on each bank check, an increase of one cent on first class mail, and an annual tax of \$10 on each motor vehicle, these not accepted, but showing the desire of the administration as to the placing of taxes.

**Not a Partisan Project.**  
"The bill affords no relief," declared

## FLORIDA ATTORNEY ON WITNESS STAND IN HIS OWN BEHALF

### John R. Pope Denies Flatly Any Knowledge of Palace Theatre Robbery

### STORY OF MOVEMENTS ON NIGHT OF TRAGEDY

### Pope's Story To The Effect That He Was a Victim of Circumstances; Defense Counsel Begin Argument On Motion For Instructed Verdict In Favor of Defendant

Jacksonville, Fla., Oct. 5.—John H. Pope, local attorney, took the stand in his own behalf today at his trial on a charge of murder in the first degree. The defense announced it had no other witnesses and began its argument on a motion for an instructed verdict in favor of the defendant.

The argument had not been concluded when the case went over until tomorrow. The State rested early in the afternoon session.

**Pope Denies Robbery.**  
Pope was on the stand less than an hour. He denied unequivocally that he had any knowledge of the impending robbery of the Palace Theatre here the night of September 4 by Frank Rawlins, who shot and killed George H. Hickman, manager of the playhouse. Pope admitted he had very probably been on certain places described by state witnesses. He denied that he had told Irwin and Johnny Novitzky, two state witnesses, when he borrowed their car on the night of the killing; that he and Rawlins were going to "stick up" the theatre.

His story was to the effect that he was a victim of circumstances. He had defended Rawlins and W. V. Melton at their trial on a grand larceny charge. Melton was arrested in connection with the present case, but discharged after a grand jury investigation, and so far as known left the city immediately. Another Rawlins or Melton had ever paid him anything because of lack of money, Pope said.

**Outlines Movements.**  
On the night of the killing Rawlins told him he had learned that Melton had received some money from his sister. He asked that Pope come with him and he would make Melton pay Pope something for the two of them. Rawlins had the impression that Melton, acquiring some money, had gone "under cover." Rawlins suggested they get Novitzky's automobile, as he did not know where Melton was. Pope obtained the use of the car and they drove to a downtown pool room, the location of which is one block behind the theatre, and one block west. Rawlins went in the search of Melton and returned in a few minutes, saying he lived up the street about a block. They then drove to a point a little more than a block to the rear of the theatre. There, Rawlins again sought to find Melton while Pope waited. He waited a considerable time, he said, probably three quarters of an hour or an hour, getting out of the car frequently as he became impatient for Rawlins to return. Finally, he drove back to the pool room in an effort to learn what became of Rawlins. Later he returned the automobile to its owner. He never met Rawlins again until they were arraigned together on the charge of murder. He disclaimed having seen Rawlins, the pistol, mask and two pieces of a towel, taken from Rawlins when he was arrested.

**Cross-Examination.**  
The state continued its cross examination by asking the defendant if he could suggest any motive on the part of Rawlins in implicating him. Pope replied that he knew of absolutely none unless that Rawlins was disappointed in not preferring his services as an attorney and that he hoped to receive a lighter sentence. Pope said he had been recently convicted of violating the prohibition law.

Pope, an able criminal lawyer, told his story without the slightest trace of nervousness. His conversation was clear and he emphasized his replies. His demeanor throughout the trial has been one of contempt for his accusers.

### WITHDRAWS AS CHIEF ATTORNEY FOR ARBUCKLE

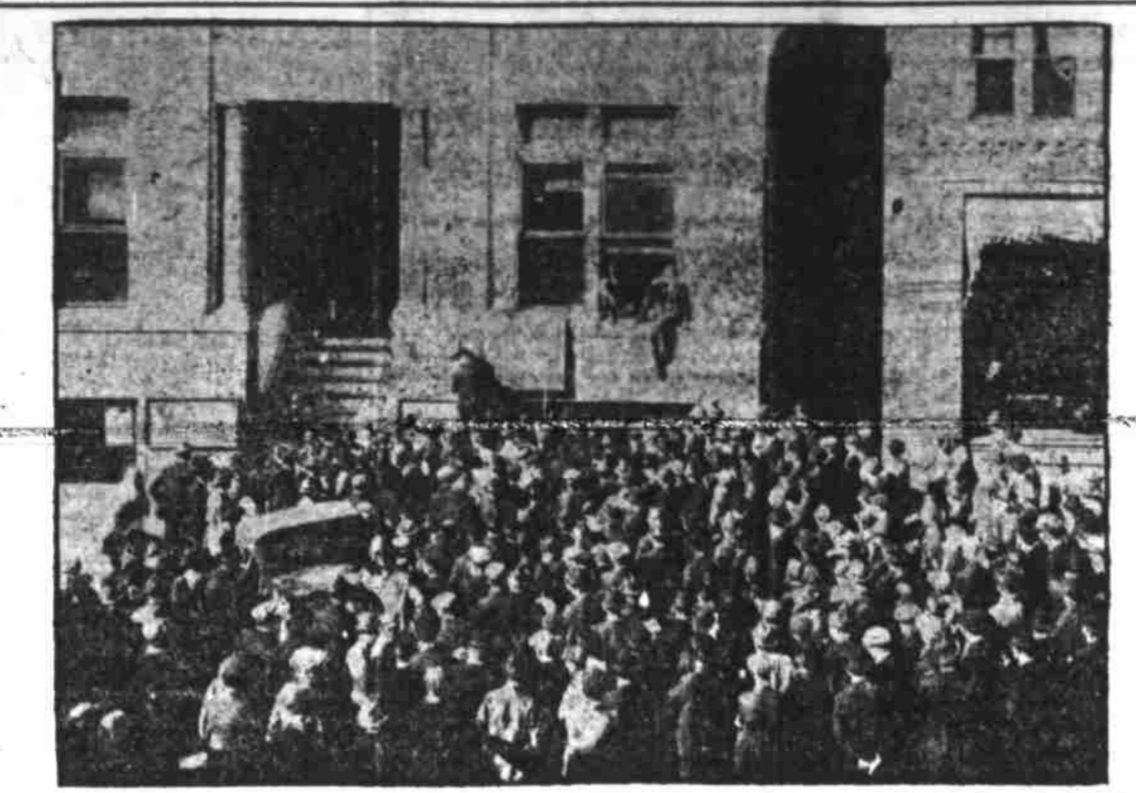
San Francisco, Oct. 5.—Frank E. Domenech, prominent Los Angeles attorney, has withdrawn as chief counsel for Roscoe C. Arbuckle, charged with manslaughter in connection with the death of Virginia Rappe, Milton T. Cohen, of Los Angeles, an associate counsel for Arbuckle, announced here today.

### ONE KILLED AND THREE WOUNDED AS RESULT OF AN ATTEMPTED ARREST

Lyons, Ga., Oct. 5.—Sheriff Charles Culpepper, of Toombs county, Frank George and Edward Driggers, farmers, were this morning shot and seriously wounded by Adams Driggers, brother of Edward, who then shot and killed himself, when an effort was made to place him under arrest at the request of his family. The shooting occurred ten miles from this place, and it is believed that those wounded will recover.

The trouble started when Adams Driggers got into a quarrel over a business transaction and left the Driggers home vowing to return and "kill everybody on the place," according to Chief of Police A. O. Bailey. Shortly afterwards Adams Driggers came back and his brother called Sheriff Culpepper, telling him of the affair and adding that Adams had returned intoxicated. The Sheriff went to the place and was struck in the hip by a load of buckshot. Adams then fired another barrel, wounding his brother and George, the chief said. He reloaded his gun and shot himself through the head, causing almost instant death.

## SOME FEW OF THE OLD RELIABLE'S FRIENDS COME DOWN TO HEAR ABOUT "BABE" RUTH



Ministers of State commended with humble and unshaven laborers, messenger boys trod ruthlessly and unrebuked upon the corns of bank presidents; clergymen rubbed elbows with bootleggers and serious visaged jurists gossiped with street gamins as they, hundreds strong, waited upon the words of the meaningless jargon of a telegraph instrument outside the News and Observer building yesterday afternoon.

The staccato rattle of the telegraph brought tidings of the clash of bats, the striking out of one Babe Ruth, the acquisition of runs, of victory, of defeat, and the adjudication of the first phase of America's most important annual problem. Mr. White listened with one ear, and with his hands he moved objects about on a drawing of a diamond, which to the crowd indicated the movement of the persons engaged in the game.

The News and Observer's guests yesterday, a section of whom were squeezed into the above picture, had first hand information of the trending of events. Mr. White saw the game with his ears, and no sooner did Mr. Ruth swat than the swatting was related by Mr. White, and the crowd groaned or clapped their hands, as their sympathies prompted them. Mr. Ruth had many friends.

Mr. White's ticker is not visible in the picture. At the moment the picture was made, it had gone momentarily into eclipse as the interpreter had turned of astonished wonder. It had said that Mr. Ruth had been struck out. It was against all nature, and Mr. White had to look to see if the thing was grinning at him. Alas, too truly it had recorded the tragedy. And again later on, it repeated it. This Ruth struck out twice.

It was a fine crowd of folks, but go over it with a fine-tooth comb if you will, and not a female of the species

will be found in it. When Mr. Carpenter essayed to chastise Mr. Deupeny, and the News and Observer invited its friends down to hear about it, the ladies accepted the bidding with enthusiasm. They came in scores and tarried to hear what the wires reported. But they didn't come yesterday, and among scores of folks who couldn't come but telephoned to know about it, there was not a woman's voice.

Why it is, some of these psychologists can explain. But the men and the boys came and trod upon each other in vast good nature, waited for the whole hour and forty minutes of the game, listened with almost fanatical patience to the interpreter, and went away. The same invitation is extended today, and re-extended to the ladies. They really ought to utilize their emancipation to its fullest fullness and get infected with the American madness. They do say that this Mr. Ruth is a very fine looking young man, and engaging.

## MAYS TOO MUCH FOR GIANTS AND YANKEES TAKE OPENER, 3 TO 0

### YANKS' STAR HURLER HERO OF FIRST GAME



Carl Mays, "submarine" mound artist of the New York Americans, who let the Giants down with five hits and no runs in the initial fray of the 1921 World Series.

### Star Underhand Artist Allows National Leaguers Only Five Hits; Receives Per- fect Support

### CROWD OF MORE THAN THIRTY THOUSAND SEES INITIAL SERIES BATTLE

Phil Douglas Pitches Splendid Game For Giants; Frank Frisch, Third Sacker of Nationals, Shows Up "Babe" Ruth By Getting Four Hits Out of Four Times Up, Including a Triple; Mike McNally, Yankee Utility Man, Gets Into Hall of Fame By Stealing Home; Ruth Didn't Get Any Home Runs, But Scored One Man and Played Good Game in Field; Both Teams Stage Errorless Exhibition

New York, Oct. 5.—(By the Associated Press)—Carl Mays, with one of his masterful exhibitions of box work, pitched the Yankees to a well-earned victory over the Giants in the first game of the 1921 World's Series at the Polo Grounds today. The blond American League twirler of the underhand delivery held the National Leaguers unless, the final score being: New York Americans 3; New York Nationals 0.

**Gets Splendid Support**  
It was not without some fine fielding behind Mays, some pretty work with the stick and clever running on the bases that the Yankees were able to get the jump in the first all New York series ever played for world baseball honors. Babe Ruth, king of the long-distance clouters, although he didn't make any home runs, was in there with a timely hit and some inspiring and heady coaching on the lines. Mike McNally, the Yankees' third baseman, ratted one of their weakest hitters, contributed a double which blossomed into a run and jumped into a niche in the world's series hall of fame by tearing off a neat steal of home in the fifth inning for the second run of the game.

**Douglas Pitches Well**  
The Yankees' victory was won against a determined Giant defense, the sterling feature of which was a well-pitched game by Phil Douglas, the Nationals' spit ball star. Douglas had the slugging Ruth at his mercy after the fourth inning, striking the Babe out twice, amid roars of approval from the Giant rooters.

Douglas left the game in the eighth inning when Earl Smith, pinch hitter, went to bat for him and flied out to Ruth. Barnes pitched the ninth inning for the Giants and was clouted for two hits.

**Ruth in the Field**  
In the field Ruth played well, getting four of the five outfield put-outs. In the third inning he gave his admirers a heart pang when he caught Douglas' high fly and let it bounce out of his hands. He managed to recover the ball, however, before it could fall to the ground. He was cheered every time he came to the plate and every time he caught a fly.

In the Giants' lineup, Frank Frisch, their stellar third baseman, ran true to his spectacular form, getting four of the Nationals' five hits, one of them a triple, and handling brilliantly everything that came his way.

**Played Heady Game**  
As a whole, the Giants played a heady, consistent game, except that the usually reliable Eversett at short was a little unsteady at times, although in no instance to the detriment of his team. Their inability to hit Mays, however, was fatal, together with the unexpected dash down by the Yankees on the base paths, the latter literally on this occasion being the Giants at what was supposed to be their own game.

Undoubtedly from the standpoint of the more than 30,000 spectators in stands and bleachers, the appearance of Babe Ruth at the plate was the big attraction of the afternoon. As has been said, he went home runless for the day, his only hit being the first inning blow—a slashing single to center—that sent Miller home with the first Yankee run. Ruth on this occasion went on his second trip to the plate to receive a base on balls. In the sixth and eighth innings he struck out.

**Musical Misces Triple**  
"Babe" Mays, the Yankees' heavy hitting right fielder, another focal point of popular interest, did something worth living up to his reputation as a long distance clouter by finding Phil Douglas for a hit in the sixth inning which would have been a triple but for a slip on the part of the Yankee member of the Muschel family a break which, if the game had been closer, might have done his team an extremely ill turn. Bob's hit scored Peckinpaugh from second, but unfortunately for the batter, he failed to touch first in rounding that bag and was declared out while standing on third. Someone in the Giant dugout had caught the omission on his part, and the ball was called for and thrown, to first, whereupon Umpire Moriarty declared him out.

**How Yanks Scored**  
The Yankees' three runs came in the first, fifth and sixth innings. Miller opened the game with a single to center and took second on Peckinpaugh's sacrifice, Douglas to Kelly. Miller scored Saturday.

## JUDGES ARRIVE TO HOLD TAX HEARING

### Attorneys For State Will Move To Throw Railroad Cases Out of Court

Greensboro, Oct. 5.—Judge Henry G. Connor, presiding judge of Federal Court for the Eastern district of North Carolina, arrived here tonight to be on hand for the hearing in Federal Court tomorrow morning, when the suits to equity filed by the Southern, Atlantic Coast Line and Atlantic and Yadkin Railways, against A. D. Watts, commissioner of revenue, will be started. Judge Edmund Waddill, of Richmond, of the United States Circuit Court of Appeals, is expected in the city shortly after midnight. Both judges have reservations at a local hotel, where they will stay while in the Gate City.

Members of the legal staff, both of the plaintiffs and defendant, have also begun to arrive in Greensboro, the State's Counsel holding a brief consultation tonight at which time the plan of action decided upon at the Raleigh meeting on last Saturday was gone over and every effort made to see that there would be no hitch in the program.

The case is slated for a hearing at 11 o'clock and with both sides on the ground it is thought that there will be no delay in the opening of the court. It is generally understood here that the first move will be a motion that the case be thrown out of Federal Court by attorneys for the defense. If that motion is denied it is felt here that a continuance will be asked and granted to give the State more time to make ready for the trial.

**HARVESTING OF COTTON  
PROGRESSING RAPIDLY**

Recent rains in North Carolina beneficial in checking Deterioration

Washington, Oct. 5. Under the influence of "persistent" warm weather in the Southern States during the past week cotton-bolls continued to open very rapidly and picking and ginning made generally good progress, although there was some interruption by rain in a few localities, according to the National Weather and Crop Bulletin issued today.

The bolls are mostly open to the northern limits of the belt, and the bulletins and picking is well advanced even in the more northern districts.

Recent rains have been beneficial in checking deterioration in North Carolina, the reports showed, but weed and worm continue very active and damaging generally.

The report continued to predict "little or no top crop in any portion of the belt."

Corn matured rapidly in the South and harvesting was carried on satisfactorily in nearly all sections.

Rain was beneficial for citrus fruit in Florida, but considerable quantities were reported to have dropped. Citrus are turning out smaller than usual for the season in that State.

## JACK FROST ARRIVES ON REGULAR SCHEDULE TIME.

Jack frost has made his appearance in Eastern North Carolina on record time though his visit was slightly delayed in the western section.

A light frost was in evidence in Lumberton early yesterday morning, according to the News and Observer correspondent.

Weather Observer Denson of Raleigh, thinks there might have been frost in low places to the north of Raleigh; but he had up to last night received no reports of frost in any part of the State except in the extreme west.

Jack's visit to the mountain sections was delayed about two weeks, according to reports to the News and Observer. He was reported as having reached Boone and vicinity Saturday.

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## Many Persons Lose Lives In Train Wreck In France

### SHERIFF FINED IN TWIN CITY COURT

### Two Suburban Trains In Rear- End Collision In Long Tun- nel Near Paris

### FIFTEEN BODIES ALREADY HAVE BEEN RECOVERED

### With 17 Coaches Burning, Firemen Believe Many Are In Wreckage

### DEATH LIST REACHES 33. MANY DIE IN HOSPITALS

Paris, Oct. 5.—Seventeen of these injuries in the tunnel wreck have died in hospitals, according to the Havas Agency, bringing the total number of dead in the tunnel wreck to 33. Exploration of the seventeen burned cars has not yet been possible and it is feared that they contain additional victims.

Paris, Oct. 5.—(By the Associated Press)—A rear-end collision of two suburban trains in the half-mile tunnel leading to the St. Lazare railroad station tonight led to terrifying scenes and the death of many persons bound on their homeward journey from Paris. The wrecked cars burst into flames, and the disaster was made all the more terrible by the explosion of a gas reservoir.

**Recover Sixteen Bodies.**  
At a late hour tonight sixteen bodies have been recovered. Twenty persons are known to have been seriously injured and sixty others were slightly injured. The extent of the disaster, because the firemen and others engaged in the work of rescue have been unable to get any distance within the tunnel owing to the gas fumes.

The fire spread with great rapidity and for a time cries of distress and the moans of the dying were heard on all sides, but these finally were silenced, though the creaking of the blazing wooden coaches could still be heard.

**Gas Fumes Hinder Work.**  
The firemen under Colonel Hivert were not prepared for the barrage of poisonous fumes which assailed them as they reached the scene. Finally they succeeded in playing four streams on the last coaches at the St. Lazare end of the tunnel, but these were empty and not burning, and the gas fumes were blowing from the tunnel, far away from the firemen's efforts, were burning fiercely.

At no time could they get closer than five hundred feet from the inferno. Nevertheless every now and then a passer with blackened face, would come straggling out, begging the helpless firemen, police and soldiers to enter the tunnel and save those dying within.

A "vision of Hell."

The Minister of Public Works, M. Le Troquer, who was early on the scene helping to direct the rescue work, described it as "a vision of Hell." He announced that the dead would be buried and the injured receive medical treatment at the expense of the State.

A hundred thousand commuters who every evening depart homeward from the St. Lazare station surrounded the yards, but were refused admittance. As a consequence, there was an immense amount of confusion, and many of the commuters repaired to the barracks, placed at their disposal by the government.

An American Red Cross unit was among the first to enter the relief work.

## Stokes County Sheriff Pays Fifty Dollars For Being Drunk at Fair

Winston Salem, Oct. 5.—Sheriff E. O. Shelton, of Stokes County, was fined \$50 and costs in the Municipal Court here today on charge of intoxication and furnishing a pistol at the fair grounds last night. The defendant gave notice of appeal to Superior Court and his bond was fixed at \$150. Later he returned and paid the fine.

The officers making the arrest testified that they found a pint bottle nearly half full of whisky on Shelton. In commenting on the case Judge Hartman declared that a deplorable state of affairs is created when the chief officer of a county goes out and violates the law he is sworn to uphold.

Judge Hartman also referred to the case of Deputy Sheriff Watson Joyce, of Stokes, who was convicted several months ago of transporting whisky to Winston-Salem. He also called attention to Judge Long's action in the Superior Court of requiring Joyce to surrender his badge.

In reply to an appeal from Sheriff Shelton's lawyers not to impose a fine, Judge Hartman replied that he had no idea of imposing sentence on poor unfortunates, as long as he sat on the bench, and then permit an important officer to go unpunished. He felt like the offense justified a rod sentence, but he was willing to give any man a chance. The case has been widely discussed here today and speculation is rife as to what action the Stokes County commissioners will take and whether they will permit Sheriff Shelton to retain his office.

## CHARLOTTE PUBLISHER DIES IN NEW YORK

New York, Oct. 5.—Walter Barnard Sullivan, 36, part owner of the Charlotte (N. C.) Observer, died in his hotel apartment here today after a brief illness. A widow and a young daughter survive him. He arrived here a few days ago, on his way home from Denver, Colo., to see the World's Series and was stricken last Saturday. The body will be shipped to Charlotte for burial. His health failed over a year ago. He and his family spent the summer in New York.

Mr. Sullivan was a native of Georgia. For several years he was publisher and manager of the Columbia, S. C. Record. With Curtis Johnson, of Knoxville, Tenn., he purchased the Charlotte Observer, taking a half interest in the paper, which he retained after his health failed. He moved to Charlotte and became manager of the paper. He was recognized as one of the most successful publishers in the South.

## Eight Children Hurt.

Brookton, Mass., Oct. 5.—Eight children were seriously injured today when a flying saucer device at the Brookton fair grounds gave way, throwing one of the swings into the crowd. The children were taken to a hospital and several other persons were treated at an

## MAYS ANSWERS IN PART THE CHARGES

### Baptist Council To Give Baptist Minister Further Oppor- tunity To Reply

Asheville, Oct. 5.—Many of the charges against Dr. Livingston T. Mays, secretary of the Southern Baptist Assembly at Ridgecrest, are unfounded and the evidence in rebuttal convincing and overwhelming, according to statements by the council of the assembly tonight. A council of representative Baptists called by the executive committee of the Southern Baptist Assembly met today at the office of Rev. Dr. K. J. Bateman to consider charges against Dr. Mays in connection with his testimony in the case of J. W. Harris, condemned slayer of F. W. Munnish, Alabama churchman.

The council was composed of the following: Dr. Luther Little, Charlotte; Dr. M. L. Kester, Thomasville; Dr. W. B. James, Birmingham, Ala.; Dr. J. E. Dilard, Birmingham, Ala.; Dr. W. H. Fitzgerald, Black Mountain; Dr. A. H. Brown, Asheville; Dr. R. J. Bateman, Asheville; Rev. J. A. McLaughlin, Asheville, and W. D. Carter, Asheville.

Each charge was taken up separately and it was stated that only documentary and affidavits were considered in rebuttal by Dr. Mays and on some charges where he was unable at the present time to produce such evidence, he is granted time to produce same. It was stated that all evidence and affidavits could not be gathered yesterday and today the council will meet again in about two weeks, place to be announced later, and Dr. Mays will be given a chance to produce all documents and affidavits in rebuttal and denial of the charges made against him.

It was stated by a member of the council that the purpose of the meeting was to get the facts in the cases and if it was proven by Dr. Mays in a legal manner that the charges were unfounded they would be dropped. But if it were so that Dr. Mays is unable to prove that certain charges are groundless they will stand.

Dr. Mays when interviewed tonight would not make any statement and said that the matter was now entirely in the hands of the council. The following signed statement was issued by the council:

"A council of representative Baptists called by the executive committee of the Southern Baptist Assembly to consider certain charges against Dr. L. T. Mays in connection with his testimony in a certain murder case met in Asheville, N. C., October 5, 1921.

"After an organization, the charges were presented in writing the same being lengthy and verbatim excerpts of the documents, affidavits and letters that had been presented in evidence against Dr. Mays. The charges were taken up item by item and the documentary evidence in rebuttal was carefully considered. Dr. Mays was examined and cross-examined upon each item.

"The council finds that many of the charges are unfounded, the evidence in rebuttal being convincing and overwhelming. Upon others the council awaits the reception of affidavits, confirming letters and other evidence offered to refute the charges, before passing judgment. The council also desires time to examine in complete detail all the documents in the case.

"The brotherhood and public in general are requested to hold their judgment in suspense pending the final report of the council."

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The officers making the arrest testified that they found a pint bottle nearly half full of whisky on Shelton. In commenting on the case Judge Hartman declared that a deplorable state of affairs is created when the chief officer of a county goes out and violates the law he is sworn to uphold.

Judge Hartman also referred to the case of Deputy Sheriff Watson Joyce, of Stokes, who was convicted several months ago of transporting whisky to Winston-Salem. He also called attention to Judge Long's action in the Superior Court of requiring Joyce to surrender his badge.

In reply to an appeal from Sheriff Shelton's lawyers not to impose a fine, Judge Hartman replied that he had no idea of imposing sentence on poor unfortunates, as long as he sat on the bench, and then permit an important officer to go unpunished. He felt like the offense justified a rod sentence, but he was willing to give any man a chance. The case has been widely discussed here today and speculation is rife as to what action the Stokes County commissioners will take and whether they will permit Sheriff Shelton to retain his office.

## CHARLOTTE PUBLISHER DIES IN NEW YORK

New York, Oct. 5.—Walter Barnard Sullivan, 36, part owner of the Charlotte (N. C.) Observer, died in his hotel apartment here today after a brief illness. A widow and a young daughter survive him. He arrived here a few days ago, on his way home from Denver, Colo., to see the World's Series and was stricken last Saturday. The body will be shipped to Charlotte for burial. His health failed over a year ago. He and his family spent the summer in New York.

Mr. Sullivan was a native of Georgia. For several years he was publisher and manager of the Columbia, S. C. Record. With Curtis Johnson, of Knoxville, Tenn., he purchased the Charlotte Observer, taking a half interest in the paper, which he retained after his health failed. He moved to Charlotte and became manager of the paper. He was recognized as one of the most successful publishers in the South.

## Eight Children Hurt.

Brookton, Mass., Oct. 5.—Eight children were seriously injured today when a flying saucer device at the Brookton fair grounds gave way, throwing one of the swings into the crowd. The children were taken to a hospital and several other persons were treated at an