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ALL RULES WERE DISREGARDED IN COURT MARTIAL

Prosecution Explains That Col. Mitchell Is a Sort of Super-Being and Case Is Not "Normal"

MITCHELL ASKS WHY He and His Counsel Are Satisfied for They Look Beyond the Days of His Military Life

By ROBERT F. SMALL
Specialist, City Editor

Washington, Oct. 31. Colonel William Mitchell has failed to halt his trial by the many special pleas interposed in his behalf, but he has succeeded in getting before the country the fact that he has been treated in a most extraordinary manner. All of the prescribed rules of court martial procedure were disregarded or violated in his case up to the hour the trial opened.

This explanation on behalf of the prosecution has been that Colonel Mitchell is a sort of super-being, not amenable to the usual order. He did not seem to have a commanding officer at the time the court martial proceedings began. President Coolidge has been pictured as scanning the horizon for and while in an effort to find a commanding officer for Colonel Mitchell. He could not do it. He could not even find the prototype of such an officer. Therefore it has been made to appear in the record that Mr. Coolidge, exercising his constitutional rights as commanding officer of the Army and the Navy, ordered the court martial on his own initiative and directed the filing of the charges, the arrest of the accused, and the appointment of the court.

It has been explained in a more careful manner than is possible under the civilian statutes. But in Colonel Mitchell's case all the rules were disregarded. The latest court martial rules, by the way, were promulgated by President Woodrow Wilson.

Despite the admitted irregularities, the court decided to go on to the bitter end. Colonel Mitchell and his counsel are satisfied. They have felt from the first that they were trying the case before the bar of public opinion. They are looking beyond the time that Colonel will be a part of the military establishment. They also are looking forward to their final appearance before President Coolidge in the event of a conviction.

As to this conviction there is much speculation in and about the court room. There are ten members of the court left of the original 13. It will require seven votes to convict. Friends of Colonel Mitchell say they believe he can count on four officers to vote for him. If Colonel Mitchell wins an acquittal or even a Scotch verdict, it probably will be due to his attack which led to the reduction of the court from 13 to ten.

The observers at the trial are confident the court is divided but just how far the division goes no one can say with any degree of certainty.

There is evidently a stand-pat element in the court and a progressive bloc. Whether the progressives are strong enough to save the outspoken colonel is for future events to determine. Generally speaking the "progressives" on the court are believed to be Major General Douglas MacArthur, the youngest major general in the Army but second in seniority as the court is now composed; Brigadier General Frank R. McCoy; Brigadier General Edwin B. Winslow; and Brigadier General Ewing E. Booth. General MacArthur is only 45. He made a wonderful record during the world war.

General McCoy's progressive-ness may be understood when it is recalled he once was an aide to Theodore Roosevelt and afterward served on the staff of General Leonard Wood. General Booth is one of the two non-west pointers on the court. Colonel Blanton Winship, a native of Georgia, law member of the court, is the other. Colonel Winship has proved a great stickler for form.

Mrs. Mitchell is looking extremely snappy these days in a sort of blue tam which reminds one of the headgear worn by the "Blue Devils" of France, the famous chasseurs Alpins.

Speaking of depriving a person of freedom of speech, the judge advocate of the court says absolute freedom would permit any fool to cry "fire" in a crowded assemblage and cause a panic. Just what his intended inference was no one seems to know.

TWO GIRLS HURT IN AUTO SMASH

Slippery Roads and Blinding Rain Blamed for Accident Near City

Slippery roads and a blinding rain are blamed for an automobile accident on the Newland Road Friday night, shortly after dark, in which Miss Gertrude Sample, daughter of Mr. and Mrs. Warren Sample, of this county, sustained severe cuts on the temple, and her companion, a Miss Howden, was stunned temporarily, but otherwise escaped injury. The car was virtually demolished.

Highway Commissioner Henry F. Sample, a brother of Miss Sample, was driving the car. He was bringing the two girls from Eure Station in Gates County, where both are teaching. His little son accompanied him. Muddy roads had delayed him considerably in crossing from Stanbury and after he reached the paved road, he speeded up a bit.

Unable to see clearly through the rain spattered windshield, Mr. Sample accidentally drove partly off the narrow paved road. When he did, the rear of the car swerved around and struck a concrete abutment at the end of a road drain pipe. This checked the machine abruptly, and pitched the girls forward, resulting in injuries to both. Mr. Sample and his son, who were occupying the front seat were unhurt.

An approaching motorist picked up the four, and carried them to the Elizabeth City Hospital, where the girls' injuries were treated. Miss Sample, the worse hurt, remained all night at the hospital. She was reported much better Saturday.

The rainstorm Friday afternoon was responsible for another accident in which Elizabeth City people figured. Charlie Bell and Jimmie Dozier, accompanied by Misses Lorena Koozit and Mattie White, were on their way to Norfolk to attend the musical comedy, "Bringing Up Father," when they were run into by a motorist coming out of a side road about three miles this side of Portsmouth.

The front of the automobile, a Ford touring car driven by Mr. Bell, was smashed up considerably, but the other car was only slightly damaged. While a service truck was preparing to tow it to a garage for repairs, another truck came along and smashed into the rear of it, compelling the driver of the latter to retreat in a more careful manner than is possible under the civilian statutes. But in Colonel Mitchell's case all the rules were disregarded. The latest court martial rules, by the way, were promulgated by President Woodrow Wilson.

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TERRIFIC STORM SWEEPS SOUNDS; BOATS DELAYED

Passengers Aboard Hattie Creef, Bound from Wanchese Here, Pass Thru Nerve-Racking Ordeal

FISH NETS DESTROYED Steamer Trenton Delayed in Making Run from Manteo to This City; No Damage to Ships Report

The heaviest wind within the recollection of veteran mariners in this vicinity Friday night churned into fury the water of Albemarle and Pamlico Sounds and their tributary rivers, and swept away many thousand yards of fish nets. No loss of life or damage to shipping has been reported, however, most seamen having remained snugly in port throughout the night.

The oil burned Hattie Creef, a 65 foot craft of 17 net tons which might be termed the mother of all the craft plying Albemarle Sound, hove into port here this morning at 2:30 o'clock after a memorable struggle with wind and wave. This boat plays between Elizabeth City and Wanchese, on Roanoke Island, touching also at other down the sound landings. Ordinarily she arrives here at midnight.

All night long the wind blew a gale from north-northwest, subsiding somewhat at dawn, though skippers reported there was still considerable "blow" Saturday morning. In commenting upon his trip, Captain B. H. Davis, of the Hattie Creef, said the gale was the heaviest in the six years he has been on the Elizabeth City-Wanchese run.

"We had ten passengers aboard," he commented, "and they all got seasick. One was a preacher, and we called him the praying man. They were scared nearly to death, though really there wasn't any danger. The boat is tight and seaworthy. It was the heaviest wind I have ever crossed the Sound in."

"It took us four hours and fifteen minutes on the run between Caroon's Point and Wade's Point, which we generally make in two hours. It was blowing a gale, all right." The two points designated are on the south and north sides of Albemarle Sound, respectively, and the run to which the captain referred is the stretch across the open sound, where the wind had clearest sweep.

Despite the lull Saturday morning, the steamer Trenton, running between Manteo and Elizabeth City and touching en route at Nags Head, popular summer resort, was buffeted about considerably, and arrived here two hours and 20 minutes late. Captain Martin Johnson, skipper of the Trenton and one of the best known ship masters in the Sound country, ascribed the delay largely to the low tide resulting from the gale.

The extent of damage to fish nets could not be ascertained even approximately today, though the skippers reported there was still unable to check up their losses. It was predicted, however, that a survey of the fishing grounds would disclose have running into many thousands of dollars.

T. G. GILLIAM, SR., DEAD
Notified of the death of T. G. Gilliam, Sr., prominent banker of Windsor, early Friday morning, after a short illness, relatives of Mr. Gilliam's wife, who formerly was Miss Alice Outlaw, left here Saturday for the funeral, which was held Saturday afternoon at 3 o'clock at Windsor. Those attending from here included Mrs. Gilliam's mother, Mrs. E. R. Outlaw, Sr., her sister, Mrs. William McQueen, and her sister-in-law, Mrs. E. R. Outlaw, Jr.

Besides his wife, Mr. Gilliam is survived by two sons, T. G. Gilliam, Jr., and P. R. Gilliam, both of Windsor.

Flying Mile A Minute Chilly Travel, He Says

Camden Blades, Back from Airplane Trip to Washington, N. C., Declares It's Hard to Keep Warm When You're 3,000 Feet in the Air

Judges

Traveling at a rate a little better than a mile a minute is great sport, if you can manage to keep from freezing, according to Camden Blades, son of Dr. and Mrs. L. S. Blades, of this city, who has just returned from an airplane trip to Washington, N. C., with Duke Institute's commercial flyer. The distance is given as 145 miles, and actual flying time on the trip was an hour and 55 minutes, or 115 minutes.

Mr. Blades and the aviator left here Thursday morning at 10 minutes past 11 o'clock in the hydroplane with the latter is giving passenger flights in Eastern Carolina river towns and cities. In 13 minutes from the time they left the water of Chantilly Beach, they had reached Pasquotank light.

"From that point I could see as far to the eastward as the breakers of the Atlantic Ocean," Mr. Blades declares, "and to the south, Roanoke Island and the mainland were plainly visible. It was a clear day, and the view was beautiful."

Crossing Albemarle Sound, the aviator took a short cut across the north-eastern rim of the Dare County mainland, coming again over open water at the south of Roanoke Island. "At one time we could see six counties," Mr. Blades says, "with Mattamuskeet Lake and Alligator River to the west of us, Pamlico Sound below, and Manteo, Wanchese and Nags Head clearly in view back of us."

Long Shoal and Gill Shoal, extending far out into Pamlico Sound, were plainly visible in the shallow water. In fact, we could

see bottom practically all the time we were over the water. It was in a variety of colors. I suppose if there had been any lead ball enough, we could have had bottom too.

The plane was whirled about say along at an altitude of 2,000 to 3,000 feet and travel at that height lacked a bit of being altogether comfortable on a cloudy day. "We nearly froze with it," Mr. Blades declares. "I think I was wearing a heavy lined leather coat, but he faced little better than I did. I had on a leather lined coat, too, but it wasn't warmly lined."

Becoming increasingly cold, the flyer and his companion dropped to the surface of the water, and a reserve supply they had carried along. They spent 10 minutes there, and then continued their flight.

Just over the mouth of Lake Pamlico, we observed a big log which was burning in what we took to be a swamp. Mr. Blades says, "We couldn't make out just what it was, and of course, didn't stop to find out. There was a great deal of smoke, and it was so considerable that it

At 11 o'clock on Sunday morning, the Women's Missionary Society of the church will begin with a service conducted by the children's society. All the women of the church are urged to attend that meeting. There will be meetings for prayer Monday, Tuesday and Wednesday afternoons. Miss Davies' sermon on Sunday morning will take the place of the annual sermon of the past year before the Women's Missionary Society.

Miss Davies will continue her work throughout next week, speaking morning and night every day. It is expected that the meeting will culminate and conclude with the services of Sunday, November 8, which is also the closing Sunday of the Conference year.

Weeksville To Front In Advance's Campaign For Subscriptions and Prizes

Miss Alice Lister Comes Forward With Biggest Day's Turn in for Friday, While Wallace Speight of Same Community Also Made One of Best Reports of the Day; All Workers Are Expected to Settle Down to Real Work Next Week



There are two more members of the court martial board that will try Col. William B. Mitchell for his outrages in connection with America's air service. They are Lieut. Col. J. M. Wilson, assistant judge advocate of the army, and Maj. Gen. Fred W. Stead, commandant of West Point Military Academy.

ALLEGED STILL OPERATOR FREED

Judge Sawyer Dismisses Action Against Ike Jones in Recorder's Court

Falling to find sufficient grounds for conviction, County Judge P. G. Sawyer this morning dismissed charges against Ike Jones, colored, in connection with the seizure of a still in the "desert" at the back of the Foreman Stock Farms, on the Hertford Highway. Jones, whose home is within perhaps three quarters of a mile of the still, was charged with violation of most of the provisions of the Turlington Act.

Sheriff Charles Carmine, who seized the still and arrested Jones Thursday night, testified he followed a path from the outfit to a fence at the rear of the farm, whence it branched in two directions, one branch leading to the negro's home. He arrested Jones at the latter's home.

Claude Harris, white farmer living in the neighborhood, identified a "hush hook" seized at the still as one of the type used on the Foreman farm. Outside of the testimony as to the path, no evidence was offered tending in any way to connect Jones with the operation of the distilling plant.

The still seized was a crude affair, improvised from a gasoline barrel, and was of limited capacity. Sheriff Carmine stated, adding that it was not in operation at the time he raided it.

WITCHES ROAM THE HILLS OF KENTUCKY

At Least the Belief in Them and in Other Superstitions Does

Frankfort, Ky., Oct. 31. On this Halloween there are few other places in the English-speaking world where superstitions concerning witches are so much in evidence as in the Kentucky mountains.

Kentucky has been found to have 3,954 superstitions. Daniel Lindsay Thomas, late professor of English at Ole Centre and founder and president of the state branch of the American Folk Lore Society, today brought them out of record in the state library archives.

At least four of the number will share a nationwide observance tonight. Amid traditional merry-making, playful romances and charms to disburse future husbands and wives, are the rules of looking into a mirror at midnight; walking in a graveyard; biting a hobnob apple; to see one's intended, to be believed by the person named.

The superstitions beliefs still retained by the old type of mountaineers are in general those brought to Kentucky by English and Scotch-Irish ancestors, said Dr. Thomas, although superstitions are not alone confined to mountains hereabouts. He said that a canvass of believers in superstition at Harvard only as far back as 1911 showed but 28.5 per cent of the faculty to be entirely free from superstitions.

Dr. Thomas declared superstitions beliefs were more persistent and widespread than most persons would suspect. He traced their origin to desire of mankind to propitiate fate, avert evil, display the mystery of life and the universe. Primitive man, in his fear of evils that he did not understand, sought to avoid disaster by any means he could find.

One of Kentucky's native sons, Abraham Lincoln, used to walk on certain sides of the street, Trucks 2 and 3 answered the alarm. Repairs to the shop were under way Saturday morning.

SHOE REPAIR PLANT DAMAGED BY FLAMES

Fire attributed to an overheated motor in the shoe repair shop of Trammie Crane on Matthews street, early Saturday morning caused damage to the building estimated at \$50, virtually ruined the motor, and damaged the stock considerably, according to Fire Chief Flora. The blaze was discovered by Police Officers Roughson and Windlow shortly after 1 o'clock. They turned in an alarm.

Tremson responded promptly, despite the lateness of the hour and the bad weather, and quickly brought the blaze under control. Trucks 2 and 3 answered the alarm. Repairs to the shop were under way Saturday morning.

INSTALLATION SERVICE AT CALVARY SUNDAY

An installation service will be held at Calvary Baptist church Sunday afternoon at three o'clock for the new pastor of Calvary, Rev. M. P. Booth, and quickly brought the blaze under control. Trucks 2 and 3 answered the alarm. Repairs to the shop were under way Saturday morning.

LEAGUE ASKS FRANCE ABOUT DAMASCUS

Geneva, Oct. 31.—The League of Nations today asked France for comment on petitions, protests and complaints which have been filed with the League concerning the bombardment of Damascus.

WILL HE REMAIN JIMMY WALKER?

Or Will Next Mayor of New York Acquire Dignity With Titles?

By ROWLAND WOOD
Specialist, City Editor

New York, Oct. 31. Tammany had voters' expectations of "practical" politics as the play-off of the mayoralty race today as they entered the fourth day of their campaign for the office of Mayor of New York City. Senator James J. Walker, who contested the mayoralty with "Boss" Tweed, was the only candidate to have been given his full title of "James J. Walker, LL.D."

The public revealed by exultation when Mr. Walker, who contested the mayoralty with "Boss" Tweed, was the only candidate to have been given his full title of "James J. Walker, LL.D."

FAILS TO EXCITE CHICAGO NEGRO

Communist Efforts in Labor Congress Draw Only Small Gathering

By OWEN L. SCOTT
Specialist, City Editor

Chicago, Oct. 31.—Enticing promises of social equality, political power and of influence in industry through racial organization, offered by the American Negro Labor Congress meeting here, are failing to excite the 200,000 colored residents of this city.

The first effort to organize negroes along racial lines in fact is in the hands of the radicals supporting it. Despite promotion and outspoken backing of the local communist press the meetings have failed to draw more than 500 colored persons. Scarcely 500 delegates are on hand.

Those attending, however, say that they are laying the foundation for a movement that will spread rapidly among the millions of negroes in the country. They demand that there be social equality and for labor organization along racial lines is expected by them to be popular.

Something of the way they intend to spread their gospel is shown by the fact that seven American negro young men and three girls are at present in Russia taking a three year course of training for the Russian diplomatic service. It is tantamount to training for entrance to the communist propaganda organization. Port Whitman, promoter of the Congress has spent considerable time in Russia and has been given unusual honors by the Russian authorities. But the negroes in general have failed to become interested in the activities of the group which seeks to get them organized racially. The popular cry against "Jim crowism" and against "White imperialism" hasn't registered its attendance at the present meeting is any indication.

The communist press looks at it differently. It says: "As Communists we hail this Congress as the beginning of a movement with far reaching implications. Not merely can it be the means of starting to mobilize the negro workers for a struggle against the degrading restrictions imposed on them as a race, but as American workers they can become a power in the labor movement."

MISS DAVIES WILL CONTINUE MEETING

Number, Opportunities, Methods Public to Hear Her on Sunday

Despite the rain, roughly 200 persons heard Miss Davies, woman evangelist now presenting at the First Methodist Church, Friday. The special service for the women in the afternoon and opportunity for the speakers to present the dangers which threaten the homes and thus the life of the Nation and to make a special appeal to the wives and mothers to work with God for the salvation of their families. At night a torrential rain and blustering cold could not keep about a hundred people from the church. Opening the service with a testimony meeting in which many speakers told the special incident which led to their conversion. Miss Davies delivered a strong address on "Faith." Saturday morning she presented to an assembly of 100 of the best women of the church of Jesus Christ on their lives. Saturday afternoon she spoke to the children of the city.

The program for Sunday offers all an opportunity to hear Miss Davies. At 11 a. m. and 7:30 p. m. she will speak to the general congregation. At 2:30 in the afternoon she will speak to women only.

"What a woman of her caliber and training and knowledge of the world will have to say to a company of men is enough to make every man in Elizabeth City who can do so attend," says Dr. N. H. D. Wilson. "Few women now living have touched life at so many points as she and few are better able to see and analyze life. Her message will be special."

Sunday afternoon at 2:30 the Work of Prayer of the Women's Missionary Society of the church will begin with a service conducted by the children's society. All the women of the church are urged to attend that meeting. There will be meetings for prayer Monday, Tuesday and Wednesday afternoons. Miss Davies' sermon on Sunday morning will take the place of the annual sermon of the past year before the Women's Missionary Society.

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KING WINTER CALLS ON REINFORCEMENTS

New York, Oct. 31.—October snow and freezes are being experienced by a large portion of the Atlantic seaboard following similar conditions in the midwest.

Atlanta, Oct. 31.—Dixie today continued to muster forces to repel an invader from the North. King Winter, who brought up reinforcements during the night in the shape of snow, his deadliest ally, so far as the South is concerned. Jupiter Pluvius is to attack the upper South, including North Carolina, today.

RELATIVES OBJECT

Relatives of Claud Harrison, living in this city request that publicity be given a statement on their part to the effect that Mrs. Lillian Harrison, arrested in connection with the alleged seizure of a quantity of liquor Thursday night, is not the wife of Mr. Harrison, the two having been divorced about a year ago. They claim also that she has no right to use the name of Harrison.

FRENCH LOSSES IN SYRIA ARE COUNTED

Paris, Oct. 31.—French losses in Syria since the beginning of the tribesmen insurrection are 585 killed or missing.

COTTON MARKET
New York, Oct. 31.—Spot cotton closed quiet, middling 19.40, a decline of 35 points. Futures closing bid: Dec. 18.86, Jan. 18.21, March 18.56, May 18.63, July 18.80.

New York, Oct. 31.—Cotton futures opened today at the following levels: Dec. 19.21, Jan. 18.50, March 18.77, May 18.92, July 18.60.

IN HOSPITAL AFTER ATTACK BY PRIVATE

Newport News, Oct. 31. First Lieutenant Joseph T. Morris and Mrs. Morris were attacked in their home at Langley Field near here before midnight Thursday and military and civil authorities are searching for Private Lewis K. Non. It was learned today. Lieutenant and Mrs. Morris are at Port Monroe hospital suffering from serious injuries to their heads.

Major Oscar Westover, commander at Langley Field, declared in a statement today that Non harbored a grudge against Lieutenant Morris because the latter disciplined him for infraction of military rules. Non's home is in Savannah.

LITTLE BOY DIES OF HYDROPHOBIA

Washington, Oct. 31.—Louis Preston, nine-year-old son of Dr. R. K. Preston, pastor of Calvary Baptist church, died this morning of hydrophobia. He was born at Asheville, was two years of age, but became ill four days ago.

NO ACTION REQUIRED

Washington, Oct. 31. The Federal Food Commission was today advised by its chief examiner that no action at this time is required in plans for the proposed merger of the General Baking Company, Ward Baking Company and Continental Baking Company.

MISSING REASON FOR THE STILLMAN SUIT

New York, Oct. 31. While the principals in the latest Stillman divorce proceeding continued in seclusion today there came a revelation as to the definite reason for the institution of the suit by Mrs. Anne F. Stillman against James Stillman. The New York American says that Mrs. Stillman is sure to say that she may be free to marry under McCormick, and twenty years.

DECLARE REASONS FOR COUNTRY SEETHING

London, Oct. 31.—Dispatch to the Evening News from Haifa, Palestine, says the situation in Damascus where the French recently put down an insurrection is still critical while the surrounding country is "seething."

GENERAL FRUNZE IS COMMISSIONER WAR

Moscow, Oct. 31.—General Mitchell Frunze was named Soviet Commissar for war today.

GOVERNOR ORDERS TROOPS BE READY

Raleigh, Oct. 31.—Governor McLean today ordered Adjutant General J. Van B. Metts to have troops in readiness for a call in case the situation should arise in Huncome county in connection with the trial of two negroes for attacks on white women which might necessitate calling out troops.

MITCHELL TRIAL IS OVER TILL MONDAY

Washington, Oct. 31.—Counsel in the court martial proceedings against Colonel William Mitchell are taking advantage of adjournment today over the week-end to prepare for the next stage of their legal tussle. This will be the actual trial of the officer on a charge of conduct, violating good order and discipline. Colonel Mitchell and his counsel are going to decide during adjournment whether they will ask the court that the accused be confronted there by the accuser, meaning either President Coolidge or Secretary of War Davis, or both.

VETERAN PUBLISHER DIES IN BALTIMORE

Baltimore, Oct. 31.—General Felix Agnus, veteran of two wars, and newspaper publisher, died at his home here early today at the age of 87 years.

COUNTRY SEETHING DECLARE REASONS FOR

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