

Palatka Daily News

Good Morning—
Our duty, though it is set about by thorns, may still be made a staff, supporting even while it tortures.—Jerrold.

Weather Forecast
Generally fair Tuesday and Wednesday. No change in temperature

II. NO. 294.

PALATKA, FLORIDA, WEDNESDAY MORNING, SEPTEMBER 21, 1921.

PRICE FIVE CENTS

JUDGE SIMMONS IS TO PROCEED AS TRIAL JUDGE OF SLAYERS

George Gibbs Assumed Charge Within a Few Minutes

HE WAS ANTICIPATED

Change of Venue Denied Judge Simmons Before Retiring

(By Associated Press.)
Gainesville, Sept. 20.—Denial of a change of venue, the appointment of the presiding judge and the immediate seating of another trial judge for the second day's trial here of Daniel Pope, indicted jointly with Rawlings, for murder in connection with the killing of George Gibbs, when Judge Simmons retired from the bench when Pope's attorneys required number of affidavits to be required. He was immediately succeeded by Circuit Judge Gibbs, who recessed court until tomorrow, when "defense arguments" will be heard that the disqualification of the presiding judge is granted a change of venue for the trial here.

State introduced witnesses in an attempt to impeach the defense and that a fair trial could not be had here, but the day was largely to the arguments being counsel. It was contended here it would take several days in the selection of a jury. Judge Pope and Rawlings are together centered about the former, counsel having announced they were ready for the

effort to disqualify Judge Simmons had been expected as a defense strategy and apparently the court prepared for it. Judge Simmons made a categorical denial of the charges contained in the affidavits and would take his seat in a few minutes. Judge Gibbs promptly took his place and upon taking the oath explained that he was to preside. Duval county has no judges, the provision having been made by a recent enactment of the legislature. Judge Gibbs is with the hearing of cases in the circuit, whereas Judge Simmons' jurisdiction is confined to Duval county. The state had in the day communicated Governor Hardee and the chief justice later ordered Judge Gibbs to

feeling not abnormal. Simmons in denying the motion for removal of the case said there was considerable feeling as a result of Hickman's death, he considered it no more normal.

trial is rapidly developing into a situation seldom equalled in history.

Wawan Murder Trial Jury Fails to Find a Verdict

(By Associated Press.)
Gainesville, Sept. 20.—The jury in the case of the murder of Wawan, charged by Judge Bailey. The jury failed to reach a verdict today and was discharged. The case will be retried at a future date.

jury, which was composed of members of Pocahontas county, was taken to their homes in the morning. It was said that the jury was acquitted and returned to their homes.

FRANK C. DRAKE



Frank C. Drake of Brooklyn, N. Y., who is chief organizer of a monster anti-prohibition parade which will be held in New York July 4. Mr. Drake is a private citizen, and says he launched the parade idea solely because he is opposed to "Volsteadism."

NATION WIDE CEREMONY TO MEMORY OF SOLDIER WHO WON WORLD WAR

Armistice Day Also to See Great Urge For Disarmament

(By Associated Press.)
Washington, Sept. 20.—A solemn ceremonial to voice at once the nation's gratitude to the soldier dead and its hope of deliverance from the burden of heavy armaments will be observed from coast to coast on Armistice day under the leadership of President Harding and officials of his administration.

In honor of the occasion the first meeting of the armament conference called for that day is to be confirmed to the briefest of formalities, leaving the delegates of all the participating nations free to join with the President in the central ceremony at Arlington National Cemetery, Oct. 11, next day November 12, the day of the conference will be observed.

Knights Columbus Have No Secrets Declares McGinley

(By Associated Press.)
New York, Sept. 20.—The Knights of Columbus are ready for investigation by any lawfully constituted authority, Supreme Secretary William J. McGinley, declared today in a statement dealing with adoption of a resolution by the city council of Atlanta, Ga., of resolutions calling on newspapers investigating alleged un-American institutions to include the Knights of Columbus.

"Any man," said Mr. McGinley, "who states that the Knights of Columbus is unpatriotic and un-American must have been emulating R. Van Winkle during the war. To demand for investigation of the Knights of Columbus indicates the intelligence of the men voting for it."

Chief of Police of Chicago Must Plead for Contempt

(By Associated Press.)
Chicago, Sept. 20.—Chief of Police Fitzmorris today was found guilty of contempt of court because of interviews with Judge Joseph Davis of the superior court, who presided at sanity hearings in the Wawan murder case, and given his choice of a \$100 fine and five days in the county jail or no fine and six months in jail.

CONGRESS TO MEET TODAY WITH FULL PROGRAM OF WORK

House to Lay Dead Until October 4 As Agreed On

SENATE PROGRAM FULL

Many Important Measures Await Action In Upper Body

(By Associated Press.)
Washington, Sept. 20.—Congress will reassemble tomorrow noon after a recess since August 24, with a full program for the remainder of the extra session which may lap into the regular December session.

Activity at first is to center in the senate, which will consider the tax revision bill, the peace treaties with Germany, Austria and Hungary, the anti-beer, railroad debt funding, the allied debt refunding and other bills. The treaties are to be transmitted by President Harding tomorrow and are to be pressed at once.

House to Lay Dead
The house will reconvene under a gentleman's agreement to transact virtually no business until October 4. Comparatively few representatives were in Washington tonight and the leaders were not expected until next month. The bill to reapportion the house membership is slated to be taken up when the house begins work.

A definite legislative program for the rest of the session is to be arranged soon by republican steering committees whose members will confer with President Harding. The tax bill is to have senate precedence, according to present plans, although debate on it is not expected until next week.

In view of the peace treaty, it was said by leaders tonight, debate on the treaties and the tax bill would be practically simultaneous during lapses of debate on the tax bill. The anti-beer bill also is to be pressed at once, according to Senator Sterling, republican, South Dakota, who is in charge of it.

Opposition Looms Up For Treaties With Allied Enemy

(By Associated Press.)
Washington, Sept. 20.—Announcement from the White House today that the new peace treaty with Germany, Austria and Hungary would be transmitted tomorrow to the senate was followed by information that they would encounter opposition from several republicans as well as some democrats.

Senator Borah, republican, Idaho, who began the battle against the treaty of Versailles is planning to wage a fight against ratification of the new treaties, and is said to have assurances of support from a few republicans and some democrats who are foremost among the critics of the Versailles treaty.

Date of An Irish Peace Conference Is Now Uncertain

(By Associated Press.)
London, Sept. 20.—Premier Lloyd George's reply to Eamon DeValera will probably be delayed until after a conference with the Ministers at Cairloch, Scotland, Thursday, and it seems certain that there will be no Irish peace conference at Inverness for, according to the latest reports, the Premier has decided to return to London at the end of the week if his health is sufficiently restored, in which case the next formal cabinet session will be held in London.

CUBS IN ROLE OF GIANT KILLERS IN TEN ROUND BATTLE

Pirates Stand Still While Leaders Drop Down A Peg

YANKEES AGAIN IN LEAD

Boston Trims Naps and Yanks Rub It Into Cobbs

(By Associated Press.)
Chicago, Sept. 20.—Chicago cut New York's lead in the pennant race to three games today when a timely single by O'Farrell scored Grimes who had reached second through Frisch's error, and a wild pitch in the tenth inning gave the locals a seven to six victory. The Giants took a three run lead by bunching hits off Alexander, but Chicago overcame this by bunching hits off Barnes and driving him from the mound. The visitor's tied the score when Kelley cracked out his twenty-third home run of the season. After that the game resolved into a pitcher's duel between Cheever and Nehf. Poor base running on the part of the visitors and some snappy playing by Flack who nipped two men at the plate, forced the game into the tenth inning. Score: New York 003 000 210 0—6 16 1; Chicago 002 040 000 1—7 15 0.

Batteries: Barnes, Sheaf, Nehf and Smith; Alexander, Cheever and Killifer; O'Farrell.
Yankees Trim Tigers
New York, Sept. 20.—New York regained the lead today, defeating Detroit 8 to 4. Score: New York 000 000 101—2 8 0; Detroit 000 010 300—4 11 2.

Batteries: Ewell, Bagby and O'Neill; Pennock, Russell, Jones and Walters.

Clearwater Pays Tribute to Victim of ZR-2 Disaster

(By Associated Press.)
Clearwater, Sept. 20.—The body of Lieutenant Commander Henry W. Hoyt, who met a tragic death in the ZR-2 disaster in England some time ago, arrived here today and tomorrow will lie in state at the Presbyterian church, where all his former relatives and friends may pay tribute to the dead.

The funeral will take place tomorrow afternoon at the Presbyterian church, Rev. E. A. Dunsleigh conducting the service. From the church the body will be taken to the grave at the Clearwater cemetery, where the Turner-Brandon Post American Legion will have charge of the interment.

Two sub-chasers arrived here today and the members of the crew will attend the funeral, as will American Legion men from Tampa, St. Petersburg, Tarpon Springs and elsewhere.

NINE COUNTIES DEMAND FINISH ON ROAD NO. 2

Big Mass Meeting Held At Ocala Pledges to Make It Issue

GOVERNOR SENDS NOTE

Executive Declares He Ordered 200 Convicts to Road Work

(By Associated Press.)
Ocala, Sept. 20.—Through resolutions calling on Governor Hardee and the state road department to make available at once the \$1,328,000 provided by four counties for completion of state road No. 2 were adopted tonight at a meeting here of citizens from nine different counties along the route of the highway. The meeting followed a similar one held in Gainesville a week ago at which the state road department was urged to rush completion of the road.

Declarations that Jacksonville and the east coast are attempting to stifle the road No. 2 project in order that the influx of tourists and new comers to Florida must of necessity enter Florida by a route which will pour them into the gateway city and down the coast, marked the meeting. Exhorting the crowd, which jammed the Ocala court house, to refuse to support for office any state official who withholds his support from the road No. 2 project, W. W. Phillips, of Lake City, urged that the committee issue in politics until it is achieved.

Women's Clubs Are Pledged
Mrs. J. W. McCollum, of the Florida Federation of Women's Clubs, pledged the aid of her organization which represents 11,000 women of Florida, to the furtherance of the assembly's plan, saying that the federated clubs stood for anything that will develop and uphold the state.

A letter from Governor Hardee, invited but unable to be present, in which he stated that he had ordered 200 convicts placed on road work in the state, was received with the customary applause, but without any show of enthusiasm by the meeting which appeared to hold the opinion that 200 convicts would not be sufficient even if placed on this one road to accomplish the desired result.

A meeting will be held at Orlando in two weeks, the assembly decided, following an invitation by the Orlando Chamber of Commerce.

Government Probes Source of Liquor In Arbuckle Suite

(By Associated Press.)
San Francisco, Sept. 20.—Seven witnesses were questioned today by the federal grand jury in an attempt to learn the source of the liquor consumed at the affair in Roscoe (Fatty) Arbuckle's hotel suite here from which resulted the death of Miss Virginia Rappe and Arbuckle's arrest on a charge of murder.

No indictment will be returned until all the federal departments operating in the case have completed their several investigations, announced Robert H. McCormick, assistant United States attorney general. The investigation will be resumed by the grand jury Friday, he said.

Today's witnesses were Mrs. Maude Delmont, Miss Alice Blake, Miss Vey Prevost and Mrs. Mae Taube, who were present at the party, a bell boy at the hotel and a hotel maid. "We simply wanted their testimony perpetuated in the event any witness should leave the city and to prevent a conflict of testimony in case any of them should desire to leave the city before the case might be brought to trial," McCormick said.

A telegram to Lowell Sherman, a participant in the affair, was sent today to Chicago by District Attorney Brady, asking Sherman to come to San Francisco to give his version of the affair.

PROF. I. V. SHISHMANOF



Prof. Irana V. Shishmanof, one of the most prominent women leaders of Bulgaria and editor of a women's newspaper, is making a lecture tour of the United States. She is the wife of Stephan Stephanoff, the most famous composer of the Balkans.

GOVERNMENT STUDYING SITUATION AS TO ITS ACTIONS ON KUKLUXES

Daugherty Says Federal Action May Yet Be Taken

(By Associated Press.)
Washington, Sept. 20.—The department of justice is considering whether federal action shall be taken in connection with the activities of the Kuklux Klan, Attorney General Daugherty said today.

Mr. Daugherty said he would confer tomorrow with Director Barnes, of the Bureau of Investigation, who has been directed to look into the matter and report on the facts warranted.

The attorney general discussed the matter today with District Attorney Hayward of New York and several of the assistant attorneys general, but said that no conclusion as to whether the federal government should take part in the kuklux question had been reached.

Any federal action against the Klan, Mr. Daugherty said, would probably be under some statute covering conspiracy, but the legal problem involved, he added, was somewhat complex. On its face, he explained, the literature of the Kuklux Klan was not in violation of the law.

What was to be determined, he explained, was what went on behind the scenes, "the wink and the nod that turns the trick."

Willoughby Urges Elimination From Herd of Boarders

(By Associated Press.)
Miami, Sept. 20.—Elimination of the "boarder" from the dairy herd was urged before the session of the Florida State Dairy Association convention here today. The "boarder" was defined by Professor C. H. Willoughby of the State Agricultural College, at Gainesville, the principal speaker of the day, as the cow that produced less than 300 pounds of milk a year.

The only kind of a cow that will earn her board and keep and at the same time earn a profit for her owner is a pure bred cow that will give not less than 600 pounds of milk a year, Professor Willoughby declared.

The delegates this afternoon were taken for an automobile ride through the surrounding country and tonight attended the first day's session with a banquet at Miami Beach.

BRADFORD COMMISSION NAMED
(By Associated Press.)
Tallahassee, Sept. 20.—Governor Hardee this afternoon appointed J. M. Brownlee, Starke, to be county commissioner for district No. 2, Bradford county; J. W. Andrews, Starke, to be county commissioner for district No. 3, and James Reynolds, of Graham, to be county commissioner for district No. 4, Bradford county.

SHARP DIVISION IN COUNCIL ON SUNDAY CLOSING PROPOSAL

Ordinance to Close All Drink Stands Where Goods Sold

WILL HIT NEARLY ALL

Practically Only Drug Stores Be Allowed to Keep Open

An ordinance that no place of business shall be open on Sunday for the purpose of selling cold drinks or any other articles permitted by ordinance, where there are any groceries or clothing, or other merchandise, kept in stock, was put on its final reading in council last night and passed.

The ordinance, it developed in debate, was prepared at the instance of the retail grocers of the city who complained that some of the retail grocers were using the soft drink as a blind that they might keep their places open on Sunday. At a previous meeting of council it was stated that some grocers sold more on Sunday than they did on Saturday.

Both Aldermen Pierce and Johnson spoke against the ordinance. Alderman Pierce said that if it is council's intention to close up the city on Sunday, including all places of business, that it should be done, but to close a small store whose chief revenue was from soft drinks and ice cream on the very day it made its largest sales was contrary to justice. Alderman Johnson took the same view. On final roll call the ordinance was passed 9 to 5.

Mayor Vetoes Levy
A communication from Mayor Fearnside was read in which he announced his veto of the ordinance fixing the tax levy and apportioning the millage. The mayor said that the millage did not provide a sufficient amount for the sinking fund. This letter had been sent to the finance committee previously, and a meeting had been held at which a new levy was made up. This was reported and adopted last night. It was for the same millage but some of the items were changed.

City Attorney Merryday reported on the legal side of the controversy with the Southern Utilities Company over the charging of a sum in excess of franchise rates for gas. He said that plans were under way for taking proceedings against the company when the company appealed to the federal court and stopped all state court proceedings. He was voted authority to proceed to represent the city's interests in the federal court. He announced that the case was to have come up in Tampa yesterday but that he was advised at the last minute that Judge Call had postponed the hearing.

To Enforce Distress Warrants
The City Attorney also stated to council that he did not believe it advisable, at least, at this time to print the list of tax delinquents, pointing out that the city has the machinery with which to enforce collections. This is by levy on personal and realty property and selling it.

Alderman Smith said that some drastic steps should be taken, that the people who paid their taxes regularly were protesting that so much leniency is being shown, especially while the city is in such financial difficulties. The list, he said, would show many people riding around in fine automobiles while they owed taxes for several years back. If all the people were to refuse to pay their taxes, he said, the city would be in a bad fix. It was finally decided to put the matter squarely up to the Chief of Police to make the levies and seizures.

Chief Starting Out
"I'll get them," said Chief Fennell, following the meeting. "I know I'll be made the goat, but I have had it handed to me enough. I know everybody will blame me, but if it is one of the duties of this job I am going to carry it out and you may expect to see more automobiles chained to trees here in the next few days than

(Continued on Page 3)