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RAIN TONIGHT AND FRIDAY

# ROSEBURG NEWS

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## DOUGLAS COUNTY

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VOL XIII NO. 234 OF THE EVENING NEWS

### GULLION SAYS WITHOUT MERE TO UPHOLD ARMY

**Court Martial Prosecutor Demands the Removal of Col. Mitchell.**

**SPEECH VERY BITTER**

Sarcastic Monikers Given Witnesses for Defense and Defendant Is Scored Deeply.

(Associated Press Leased Wire.)  
WASHINGTON, Dec. 17.—Dismissal of Colonel William Mitchell from the army was asked today by prosecution counsel in opening arguments before the general court-martial, trying the air officer under the 96th article of war.

In asking the maximum sentence prescribed for offenses triable under that article of war, Major Gullion, assistant trial judge advocate, declared Colonel Mitchell had been proved guilty of prejudice to good order and military discipline and of conduct of a nature to bring discredit to the military service.

The prosecution counsel bitterly arraigned the defendant and severely condemned many of the witnesses who had testified in his behalf, singling out, among others, Rear Admiral William S. Sims, retired, as a particular target for barbed thrusts. Representative Frank R. Reid, of Illinois, chief counsel for the defense, also came in for repeated mention in this connection.

**Army Held Scorned.**

"We ask the dismissal of the accused," Major Gullion said, "for the sake of the army whose discipline he has shadowed and whose loyalty he has corrupted. We ask his dismissal in the name of truth under whose aegis he has sought protection but whose face he does not know. Finally we ask it in the name of American people whose fears he has played upon, whose hysteria he has fomented, whose confidence he has beguiled and whose faith he has betrayed."

Major Gullion analyzed only the evidence which pertained to Colonel Mitchell's charges against the navy department and which had been offered the court by defense witnesses. Some of these he referred to by names and types. They included:

**Monikers For All.**

Admiral Sims, characterized as the "opinionated, narrow minded, honey-sucking, economical type;" Major William N. Hensley, army air service, "the shifty type;" Lieutenant H. W. Sheridan, air service, "the half truth type;" Lieutenant Orville Anderson, air service, "the pseudo-expert type;" Captain Robert E. Oldys, air service, "the revolving memory type;" Lieutenant Colonel William G. Schaffter, air service, "the flippant type;" and Major Gerald Brand, general staff, "the gay, callant, lovable type." Of Representative Lawrence, socialist, New York, Major Gullion said:

"He is beyond my powers of description. Thank heaven he is a stranger."

The prosecution counsel selected numerous quotations made during the trial by Representative Reid in his role of defense attorney, attributing some to "ignorant malice" and "stunts" and "slurs." He asserted Mr. Reid had made unfounded claims as to the illegality and irregularity of the invasion. "It is so extravagant a way that it seemed as though counsel thought that the preliminaries (of the trial) were an 'unholy thing.'"

**Lies and Hyperbole Charged.**

Referring again to Colonel Mitchell, Major Gullion summed up what he called "the Mitchell formula" in this way:

"First: Exaggeration of national defense matter closely approaching falsehood."

"Second: Untrue and misleading statements for the deliberate purpose of discrediting army and navy officers, thus:

"Third: Creating distrust in minds of people as to war and navy departments."

"Fourth: Egotistic self-description as to experience and qualifications coupled with:

"Fifth: Protestations of absence of self interest and expressions of willingness to be, and expecting of being, a martyr, all leading to:

"Sixth: A unified air service, with:

"Seventh: William Mitchell as (Continued on page 4.)

### AUTOMOBILES KILL AGED RESIDENTS OF EUGENE AND DALLAS

(Associated Press Leased Wire.)  
EUGENE, Ore., Dec. 17.—James J. Rodgers, 67, a resident of Eugene for the past 20 years, was struck by an automobile at 21st Avenue West and Madison street last evening and died in a local hospital three hours later as the result of his injuries.

J. Haskell of Eugene, driver of the car, was not held by the police.

DALLAS, Ore., Dec. 17.—James C. Hayer, 57, prominent merchant of this city and for 20 years prior to 1910 publisher of the Polk County Observer, died here last night as the result of being struck by an automobile a few hours earlier. The car was driven by Raymond Miller, a 17-year-old boy. Hayer was a brother of Oscar Hayer of Eugene.

### NO PLEA BEFORE MILITARY BODY FOR MITCHELL

Accused Flier Asserts Case Proved, Further Talk Unnecessary.

### ATTORNEY SILENCED

General Staff Charged With Belittling Air Service to Prevent Rise As Separate Unit.

(Associated Press Leased Wire.)  
WASHINGTON, Dec. 17.—A step prescribed by regulations to accompany a finding of "guilty" was taken late today by the court-martial trying Colonel William Mitchell.

Soon after the court closed to consider a verdict it returned to open session ask if the prosecution had any further evidence to place before it.

Under the law this question has to be asked when a verdict of "guilty" has been found and is not customarily asked when the accused is found to be innocent.

This question is asked so that the prosecution can give the court the record of any previous conviction which would figure in determining the sentence to be imposed.

The judge advocate replied to the court that there was "no record of a previous conviction."

WASHINGTON, Dec. 17.—Colonel William Mitchell told the army court martial today that his trial was "the culmination of the efforts of the general staff of the army and the general board of the navy to depreciate the value of air power."

The air crusader said he had directed his counsel "to entirely close out part of the proceedings without arguments."

Colonel Mitchell's statement to the court follows:

"My trial before this court martial is the culmination of the efforts of the general staff of the army and the general board of the navy to depreciate the value of air power and keep it in an auxiliary position which absolutely compromises our whole system of national defense."

"These efforts to keep down our air power were begun as soon as the sound of the cannon had ceased on the western front in 1918. When we sunk the battleships off the Virginia capes in 1921 and again in 1923 and proved to the world that air power had revolutionized all schemes of national defense, these efforts were rebuked and have continued to this day."

**Declares Charges Proved.**

"The truth of every statement which I have made, has been proved by good and sufficient evidence before the court, not by men who gain their knowledge of aviation by staying on the ground and having their statements prepared by a numerous staff to bolster up their predetermined ideas by actual fliers who have gained their knowledge first hand in war and in peace."

"I wish to invite particular attention to the letter of Former Secretary Weeks to the President of the United States asking that I not be appointed as assistant chief of the air service on account of evidence given by me to a congressional committee."

"I testified that the air service has only 19 modern airplanes fit for war and that all others were obsolete and many dangerous. (Continued on page 5.)

### WORLD COURT IS AGAIN TOPIC IN SENATE BATTLE

Foes Hold U. S. Entrance Means Membership in League of Nations.

DEMOCRATS FOR IT

Swanson Declares Work of Tribunal Ineffective if America Fails to Participate.

(Associated Press Leased Wire.)  
WASHINGTON, Dec. 17.—After a delay of nearly two years, the senate today heeded the repeated urgings of the White House and began debate on a resolution proposing American membership in the world court.

Even in its beginnings, the discussion took on many of the same characteristics that vitIALIZED the senate's long struggle over the League of Nations. Once more the mantle of leadership for favorable senate action fell upon the shoulders of a democratic spokesman. In opposition stood a determined phalanx of irreconcilables under the captaincy of a republican chairman of the committee. Holding the balance was a group whose leaders had been the "mild reservationists" of the fight over the league.

Despite the assurance of the two republican presidents who have recommended American membership in the court, the irreconcilables have sought to convince their republican colleagues that the court fight is only the latest fight over again. An almost solid democratic membership has accepted without question the contentions of Presidents Harding and Coolidge that although the court was organized by a commission of the league, an American court membership need carry no implication of American participation in the league.

**Swanson Takes Lead.**

The resolution of adherence upon which debate began was offered by Senator Swanson of Virginia, ranking democrat on the foreign relations committee, without the approval of Chairman Borah. It proposed reservations, framed on the basis of those originally suggested by President Harding in February, 1923, and including a stipulation that in entering the court, the United States recognizes no legal relation to the league.

Senator Swanson himself began the debate in open session, with a prepared address arguing for American membership in the court as the best present means by which this country can contribute to world peace. He spoke with crowded galleries in which the word predominated, looking on and with two-thirds of the senate membership in their places on the floor, following with an explanation of the genesis and functions of the court. Before the senate met officials had visited the galleries and warned against demonstrations of approval or disapproval under threat that spectators would be expelled.

Today had been selected long in advance for taking up the resolution but it was indicated that the senate would turn to other business after a short session of debate and would not settle down to general discussion until after the holidays.

WASHINGTON, Dec. 17.—The people of this country should not be misled by flattering appeals for an American world court, Senator Swanson of Virginia, ranking democrat on the foreign relations committee, declared today in opening debate on his resolution for American adherence to the existing court of international justice.

"The issue cannot be evaded," he declared. "It is this court or none other. The nations which enjoy its benefits are pleased with it beyond measure and contemplate making it no amendments, no modifications."

Describing the existing court as one of the shining landmarks of recent years, promotive of world peace and betterment, the Virginia senator said it would be a deplorable day for the world if this court should be destroyed. Its usefulness and confidence in it impaired.

**Alternative For War.**

"It discloses that in the international field the greater people of courts can be effective," he added, "and can be instrumental in dispatching war and settling disputes which otherwise would continue."

"I am strongly persuaded from every moral consideration, from every material consideration and from every political consideration, (Continued on page 6.)

### Wife's Part in Divorce Comedy Scene Played in Real Life Drama as She Sails With Another Actor

NEW YORK, Dec. 17.—Lionel Atwill and his wife, Elsie Mackey, are now playing a scene in real life that they often enacted on the stage together.

Mr. Atwill has brought suit for divorce against his wife, charging her with leaving him, despite his pleas and living with Max Montesele, an English actor, in an uptown apartment. It was in the last act of "The Comedian," in which the Atwills starred that the wife leaves her husband as he seeks in vain to win her back.

Montesele and Mrs. Atwill are now aboard the liner Samaria, which sailed from Boston Saturday for Liverpool, according to Atwill's counsel. Mr. Atwill sought to prevent the couple's leaving together by starting an alienation suit against the actor, but failed when Montesele left the jurisdiction of New York state.

"The trouble had been brewing a long time," Atwill said last night as he charged he found his wife and Montesele living in an apartment as "Mr. and Mrs. Mackey." He said, he begged her to reconsider her action and to return to him, but that she had refused.

Mrs. Atwill, before she left for Europe, denied the allegations of misconduct and said her husband had refused to agree to a separation and kept her at his home by threats of "disgraceful" charges.

She asks \$350 a week alimony and \$7500 counsel fee, asserting that her husband has an income of \$50,000 a year. She said that since separating from Mr. Atwill she had been forced to live on the bounty of friends.

### SCIENCE HALL AT O. A. C. SWEEP BY DISASTROUS FIRE

Students Escape Injury in Gas Explosion and Fight Flames Till Firemen Reach the Scene

(Associated Press Leased Wire.)  
CORVALLIS, Ore., Dec. 17.—Fire, starting from a gas explosion, partially gutted Science Hall, historic building on the campus of Oregon Agricultural College, yesterday afternoon, causing damage estimated at nearly \$100,000. Walter Barkus, a fireman, sustained injuries to his eyes when struck by flying chemicals.

Only a few students were in the building when the explosion occurred and they escaped without injury as the chemical stock room on the ground floor burst into building nearby turned in an alarm and put the fire hose from the building into play until the city fire department arrived.

A few minutes later another explosion rocked the building, further spreading the flames. Firemen succeeded in extinguishing the flames an hour later.

Class work for the term was over and examinations were being held. President W. J. Kerr announced that he planned to have repair work started immediately. The greatest damage was done to the valuable chemicals and equipment kept in the building, although rooms and offices in the center of the four story structure were gutted to the third floor.

Detailed inventory of the losses suffered in the fire was being made today by college officials and representatives of the state fire marshal's office. Early indications were that damage to the building may not be as great as at first was expected, although heavy losses in stock and equipment makes it uncertain if the early estimate will be reduced.

College authorities are generous in praise of the work of the Corvallis volunteer firemen who, in spite of the fact that the chief, Turkish delegate in Geneva still is filled with wrath over the report that Sabri Bey, the Turkish minister of agriculture, has gone to Russia ostensibly to study agriculture, but really to negotiate Russian support for Turkey in the event of war.

It is reported that reassembling communications regarding Mosul already have passed between London and Ankara, and it is expected that Premier Baldwin will make a statement to parliament on the situation at an early date.

(Associated Press Leased Wire.)  
LONDON, Dec. 17.—Prime Minister Baldwin, in a statement in the House of Commons today regarding the League's decision on Mosul, said the government believed that if Great Britain took the mandate for Iraq it would expire far short of the maximum of 25 years specified.

### NEWS-REVIEW FORCE GIVEN TREAT BY MR. AND MRS. C. A. BRAND

The members of the News-Review force were given a delightful treat last night as the guests of Mr. and Mrs. C. A. Brand at the roadside stand near Winchester. Mr. and Mrs. Brand invited the entire News-Review force to enjoy their hospitality and the delicious barbecue sandwiches which are being featured at the stand.

A barbecue fireplace has been installed jalely cuts of meat, fowls, etc., may be roasted on the slowly revolving spits. This method of cooking affords a delicious food which certainly will become exceedingly popular.

Mr. Brand is very fortunate in having the services of Mr. and Mrs. B. H. "Bud" Rathje in the operation of the stand. Mr. Rathje is a chef of remarkable ability, and is ably seconded by his charming wife. Together they add much to the homelike atmosphere of the stand.

Mr. Brand has built one of the most attractive roadside stands to be found along the entire Pacific highway. Its pleasing colors and wonderful displays cannot fail to attract attention in the daytime, and at night, the vari-colored lights, the radiant glow of the open fireplaces, and the apparent good cheer are beckoning signals to all who pass.

**Home For Holidays.**

Hail Seely, who is attending Yale University, will arrive home Sunday to spend the Christmas holidays with his parents, Dr. and Mrs. A. C. Seely. He will return about December 30th.

### MOLDING OF TAX BILL UNDER WAY AT WASHINGTON

Proposed Amendments Fail, Save One Affecting Leaf Tobacco.

CIGAR LEVIES PRUNED

Socialist Member Prepares Resolution Asking for Soviet Government Recognition.

(Associated Press Leased Wire.)  
WASHINGTON, Dec. 17.—The house refused today to place a gift tax in the automobile passenger car tax from five to three per cent as written in the revenue bill.

An amendment for repeal of the tax was rejected, 188 to 95 and efforts to make a greater reduction than recommended by the committee were over-whelmingly defeated after a sharp debate on the provision.

Repeal of the excise levies on auto trucks, tires and parts and on cameras, photographic film, firearms and shell ammunitions, articles, coin operated machines and mah jongg sets, as proposed by the ways and means committee was approved without debate.

WASHINGTON, Dec. 17.—The house refused today to place a gift tax in the revenue bill.

Representative Frear, republican, Wisconsin, proposed continuance of the gift tax created two years ago with rates equal to the inheritance levies but his amendment was rejected without a record vote.

An amendment offered by Representative Green, democrat, Florida, to kill the entire inheritance tax action of the bill was thrown out on a point of order.

Resolutions in all clear levies as written in the measure were accepted without debate.

Approval was given an amendment proposed by the ways and means committee, imposing a tax of eight cents a pound upon leaf tobacco sold to consumers by local dealers. The tax would permit local dealers to trade without imposition of the 18 cents a pound tax levied on manufacturers.

An amendment offered by Representative Huddleston, democrat, Alabama, to end the tax on tobacco from 18 to 12 cents a pound, was beaten, 90 to 42.

Repeal of the ten per cent admission tax, proposed in an amendment by Representative Griffin, democrat, New York, was defeated 106 to 42.

The proposal by Representative McKeeven, democrat, Oklahoma, to exempt admissions of \$1.50 and less to increase the tax to twenty per cent also was rejected.

**Bill to Recognize Soviet.**

Recognition of the Soviet government was as ready to make a resolution drawn up today by Representative Berger, socialist, Wisconsin, who said he would ask for public hearings by a house committee.

In a statement Mr. Berger referred indirectly to the recent banquet of American bankers and Russian industrialists in New York, and said the government may as well recognize what the bankers and business men have long since recognized, namely, "that the Soviet government is here to stay for a considerable time at least."

"Our policy with respect to Russia has been unsuccessful and stupid," he continued. "When it was clear to all the world the Russian government was as solid as any government can be, our government still entertained the hope, induced partly by the extensive propaganda which pro-letariat agents conducted in the United States, that the Soviet government would be overthrown."

**To Extend Rural Mail.**

Extension in the rural mail delivery service to provide 432 new routes immediately were approved today by President Coolidge, who sent to congress a supplement of \$1,699,000 to the budget of the postoffice department.

The president requested that \$350,000 be made available at once. Postmaster General New reported pending applications for 432 new routes, 2117 extensions of existing routes and 216 increases in frequency of service.

"The demand for this service," said the postmaster general, "is insistent and could not be properly denied."

**Insurgents Get Sympathy.**

Religation of the insurgent members to minor committees by house republicans was described today by Representative Frear of Wisconsin, chairman of the insurgent group as "petty, small and humiliating."

Mr. Frear replied in a house address (Continued on page six.)

### RUDY VALENTINO SUES FOR DIVORCE IN FRENCH COURT

PARIS, Dec. 17.—Introduction of a demand for divorce by Rudolph Guglielmi, which is Rudolph Valentino's name in private life, caused a flurry in the Paris law courts this afternoon. There was some question as to the identity of the plaintiff however, when it was found, that the wife's name was given in the petition as De Wolf.

CHICAGO, Dec. 17.—Rudolph Valentino, who today filed suit for divorce in Paris, was remarked to Winifred De Wolf at Crown Point, Indiana, March 16, 1923. Their first marriage occurred at Mexico before the expiration of one year from date of the issuance of the interdictory decree divorcing Valentino from his first wife, Jean Acker, and required the second ceremony to make the marriage legal. Until the Indiana marriage, they announced they were living apart.

UNDENTIFIED BANK CENTER OF BRANWELL QUIZ

Caught in Washington Bond Debacle; Liquidation Would Mean Loss.

ONE NOTE IS FORGERY

Expose Forced Incidental to Fight for Portland Bank for Charter as Depository.

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### UMPUQUA DISTRICT ELECTION TO BE HELD JAN. 25

Gov. Pierce Issues Proclamation Calling for Vote on Super District.

NOTICES PREPARED

County Clerk Busy Getting Out Notices and Making Arrangements for Special Election.

A special election in the unpopulated Umpqua Improvement district for the purpose of voting on the question of whether or not the improvement district is to be formed and incorporated has been called for January 25 by Governor Walter M. Pierce. A copy of the governor's proclamation fixing the day for the election together with the certification of the secretary of state, regarding the petition filed by the voters of the district, were received this morning by County Clerk I. B. Riddle.

The governor orders that the election be held upon the date of Monday, January 25, and the county clerk is instructed to make all necessary arrangements. The proposed improvement district includes all of road districts 7, 8, 20, 24, 48 and 67 and portions of districts 5 and 6. It takes in all of east and west Reedport, Leon Lake, Scottsburg and Elkhorn voting precincts and a portion of Deale and Leona precincts. A small part of the Smith street precinct is also in the area affected, but as there are no residents living within the portion embraced in the proposed district the Smith street precinct board probably will not be called.

Not all of the voters of the Deale and Leona precincts will be privileged to vote as the boundary line lies about one mile east of Deale, running northward for about six miles, bordering the railroad, swinging west for about two miles, then south again, to miss Center and the upper Smith river country, for a distance of about four miles, then turning west again and running along one section line to Smith river. Consequently only a small portion of the voters of Deale and Leona precincts residing east of the towns will be affected by the election.

The election will be held under the general election laws and the same polling places and boards will be used as served in the last election. The county clerk is required to give notice for thirty days and is now preparing the description of the territory embraced so that proper notices may be printed, mailed to the election boards and posted as provided by law.

This is the first election to be called under the law passed by the recent legislature providing for these districts.

Where any special section is benefited by a particular road which is tributary to a number of road districts it is provided that these districts may unite in a big improvement district for the purpose of voting a special tax to be applied to the construction of the road.

The situation in Douglas county is unusual and the plan now being adopted appears to be the only way in which necessary road work can be carried out.

The residents of the lower Umpqua territory, and, in fact, the entire county, are interested in the completion of the Umpqua highway. This road can be placed on the forest highway map providing the state gives its approval. If it is put on the forest highway map the government will cooperate with the county, bearing the larger percentage of the construction costs.

Government officials are in favor of the completion of this coast section, but can do nothing toward making an appropriation until the state gives its approval to the road being designated a forest highway. The state and government having reached an agreement whereby they plan their highway systems together.

The state is endeavoring to complete the Roosevelt highway from Marshfield to Reedport and is asking the county for \$115,000 as its share on a cooperative basis. Douglas county is "broke" so far as money for road purposes is concerned. With no way of raising money in sight the county court has refused to assume an obligation which it might be unable to pay, and as a result the state has refused to endorse the road project as a forest highway until the county makes some arrangement.

**Branwell Justifies Action.**

Defending his action Branwell today showed that the unidentified bank had been under surveillance of his department for four years. Its precarious condition was attributed mainly to the fact that it holds reformation and local improvement bonds of the state of Washington, which of late have been up (Continued on page six.)