

OVERRULES PLEA IN ABATEMENT

Bush Ouster Case Goes on Trial in Chancery—Only Two Witnesses Heard.

MOTION BRINGS ON FIGHT

Copies of News Filed as Exhibits One and Two.

W. O. Johnson, of News, and John M. Ott, Formerly of Times, First Witnesses.

The edition of The Chattanooga News of Sept. 7, 1917, was offered as exhibit No. 1 in the ouster proceedings filed against Sheriff Nick P. Bush, and W. C. Johnson, business manager of The News, was the first witness called in the case.

The introduction of the plea was the cause of long and vigorous argument by T. Pope Shepherd and W. T. Murray, of counsel for defense, and W. B. Miller and W. G. M. Thomas, counsel for the state.

Mr. Shepherd argued that the filing of the second suit was an effort to do something indirectly which had been attempted on Saturday last directly and which had been disallowed by Chancellor W. B. Garvin. He further argued that it was illegal in that it was a division of charges against the sheriff that should have been filed in the original bill and this made it void and not according to law.

Mr. Miller and Mr. Thomas spoke at length on the overruling of the plea in abatement, insisting that it was according to law and that it had been filed as such.

After argument Chancellor Garvin overruled the plea and ordered the trial to proceed on the evidence set out in the original bill.

The chancellor, however, refused to allow the charges in the supplemental bill which was filed last Thursday to go to trial and said that after the trial of the original bill was through he would set a later date which would give counsel for Bush time to prepare a defense, which he stated should, according to law, be made in writing and not by a plea in abatement.

Chancellor Garvin overruled the plea and ordered the trial to proceed on the evidence set out in the original bill.

First witness. W. C. Johnson, business manager of The Chattanooga News, was the first witness called to the stand and he stated that according to the records in his office Sheriff Bush was at the time the article stating that a strike was unavoidable, a subscriber of The News and had been furnished some time past. Mr. Johnson was shown the article published in The News and identified it. He stated that the sheriff's paper was delivered at the jail and he could have seen the article predicting the strike before time for it to have occurred. It was shown another article published in The News on May 21 regarding the strike, and this he also identified as having been in The News.

Reporter Testifies. John M. Ott, formerly a reporter for the Chattanooga Times, was the next witness called, and he stated that at the time of the strike he was a reporter on the Times and was especially assigned to the strike stories. He stated that he wrote various articles at different times and unsolicitedly stated that on some of them he had been frequently complimented. He said that he witnessed many depositions during the strike—where men were beat and cut up and that on none of the occasions did he see the sheriff or any of his men.

He said that one disturbance on Market street lasted for some time and that during that time he saw none of the sheriff's men and wondered why they did not come. On one occasion Ott said he saw a man deliberately cut in the back after he had been beaten into insensibility. Ott stated that before the trouble arose he was working the justice courts for the Times and the fall and would have known any of the sheriff's men had he seen them. After he had been questioned by W. B. Miller court adjourned until 1 o'clock.

Large Crowd Present. Long before the time for trial the clamorous courtroom was filled and the corridors along the courthouse were thronged with spectators and witnesses. Not a single seat was left in the court room and people were standing along the walls when Chancellor

Don't fail to attend the big shoe sale of the entire stock of the Kelso-Neal Shoe Co. They are almost giving them away. Sale starts today at 9 a.m. Market Street.

PRINCIPAL IN OUSTER PROCEEDINGS



Nick P. Bush, Sheriff of Hamilton County, Who Was Arraigned Monday Before Chancellor Garvin Under Bill Seeking to Oust Him From Office.

W. B. Garvin rapped his court to order. Mr. Shepherd then read the plea in abatement and argument began by W. G. M. Thomas for the state, and he was followed by T. Pope Shepherd for the defense.

Chancellor Garvin then stated that he had made up his mind and then read the law governing the filing of ouster suits. He then overruled the plea and ordered the trial on the charges in the original bill to proceed.

Filing of Ouster. The ouster suit against Sheriff Bush was filed Jan. 2, after having been contemplated for many months. It was filed through Atty. Gen. Frank M. Thompson.

GREENLEAF TO TREBLE IN SIZE, SAYS SURGEON-GENERAL GORGAS

Impressive Dedication of Handsome Auditorium at Medical Training Camp—America's Greatest Physicians in Attendance—Gen. Erwin Recommends Camp Warden McLean Be Utilized as Medical Detention Camp.

Honored by an assembly of the greatest medical talent of America, Camp Greenleaf's new auditorium was tendered, accepted and dedicated Monday morning to the service of the nation and the healing of mankind.

As part of the dedication, N. C. Gorgas, surgeon-general of the American army, states that Camp Greenleaf is destined to treble its present size. A vast institution for the training of 40,000 men of the medical corps is what his words indicate.

In eloquent addresses the officers, physicians and surgeons who dedicated the Warden McLean medical auditorium explained a doctor's need of military training; the great contributions made to medical science by military organization.

Among the speeches Gen. J. B. Erwin, commander of Fort Oglethorpe, asks Surgeon-General Gorgas for a "human laundry" through which he can run his recruits and so cut down his nonefficient percentage.

Impressive Ceremony. At 9:45 Monday morning, under auspicious skies, Warden McLean medical auditorium, gift of Mrs. William McLean, of Philadelphia, in memory of her dead son, Warden McLean, who died in service on Chickamauga field, was accepted and dedicated to the medical wing of the army.

prolonged cheers broke from the audience. At last when able to address the assembly, Col. Page said he accepted the auditorium not only for the students within its walls, but for all the men who would in the future receive medical training here, not only during this war, but also in time of future peace.

Liek Germans, Says Gorgas. The chairman then introduced Surgeon-General N. C. Gorgas to an enthusiastic audience. Gen. Gorgas is an Alabama man, whose work at Panama is world famous.

Stressed Importance. Gen. Gorgas then discussed the necessity for the military training of medical officers. He said such training was often criticized, but even the most obtuse laymen could see the necessity of training doctors for hospital work.

Supper Gen. Erwin, at the end of two months' training, had been at a dinner given by the hospital corps of the American army, which was suddenly confronted with unprepared wards were unfinished, unheated, and yet 1,500 patients were thrust upon them.

Greenleaf's Great Future. "What we are doing here today is but laying the beginning of Greenleaf. Originally there were four medical camps. Now these have been reduced to two, one at Fort Riley, the other here at Greenleaf.

Gen. Erwin Decries Mumps. Among other speakers were Col. E. L. Munson, the man who first conceived the idea of mumps, and Col. William Welch, of Johns Hopkins, who is called dean of the medical profession in America.

Dr. Parks, in presenting the building, said when he first came to Camp Greenleaf he thought the time spent by the medical cadets marching and drilling was a sheer waste of time, but since then, he said, he had become a convert and a disciple of military discipline.

Found Goodly Sum in Burning Building. Constable Charley Taylor is holding a goodly sum of money which he found in the burning building in East Chattanooga Saturday night. The money was found in the hallway of the Cleburne hotel.

Col. Page Accepts. As Col. Page arose to accept the gift, he was met by a number of men who were waiting to shake his hand.

SENTRY SHOTS SOLDIER, ENDING SENSATIONAL CHASE AT PARK

Private Grimes, Fifty-third Infantry, Under Ten-Year Sentence, Makes Dash for Liberty Sunday Morning, but Is Stopped by Sentry's Bullet.

Thomas C. Grimes, private Fifty-third infantry, under ten years' sentence for insubordination and direct disobedience to orders, was shot Sunday morning at 7 o'clock by Sentinel Capla, of the Fifty-first infantry, while making a sensational dash for liberty.

Grimes, who is only 21, had been working in company with another soldier, policing around the houses of the officer row on the east side of the post. Taking advantage of a moment when the sentry had his back turned watching the other man, he broke for liberty and dashed down the path through the small clump of woods lying between the post and the old car line.

When the first shot from the sentry's gun rang out the reporter was on a nearby porch washing for breakfast. He looked up just in time to see Grimes run about twenty feet and fall directly on top of the hill overlooking the car line.

Grimes fell, but nobody brought a stretcher. After Grimes had lain on the ground where he had fallen for about fifteen minutes or half an hour, two men came running forward with a stretcher. Grimes lay groaning and struggling on the ground and begging not to be allowed to die where he had fallen.

Grimes' home is in Morristown, N. J., where he has a mother. He is rather a handsome young fellow with a fine head of almost golden hair. He had a very pathetic picture as he lay high on the hill in the morning sunlight, the center of an eager crowd that jammed about him curious to see.

RELIGIOUS OBJECTORS PROVE PERPLEXING PUZZLE TO OFFICERS

Three Men of Different Religious Belief Refuse to Drill, Work or Do Anything to Aid in War, Because They Claim Their Vows Would Be Broken.

The Thirty-six ambulance company, in Camp Greenleaf, is in the throes of religious discussion and debate. The three men who recently introduced into the camp their religious belief are opposed to war, the Thirty-sixth has got more than its share.

Hoover's religion permits him to work on Monday, Tuesday, Wednesday and Thursday, Friday, Saturday, Sunday, and Sunday. However, Saturday he must keep holy, neither must he tell nor spin nor do any work or fighting on that day.

Don't Cut His Hair. The first and original trouble with Gibson was a soldier is that his holy vows will not permit him to cut his hair and use a razor.

Wanted to Buy His Beard. "You want to buy his beard?" the soldiers shouted. The beard man in question, who had a beard as long as his hair, refused to let it be cut.

Refuses to Touch Dead. Sergt. Sullivan says Gibson is an intelligent man, and the soldiers and him a good fellow, and outside of his growth of hair and his refusal to touch the dead or assist the wounded he makes a good soldier and goes through his drill with "pep."

Wants to Work in Field. The case of Saas is the most unfortunate; his vows will not permit him to take any part whatsoever. He won't work any day and says he would not bring his brother a drink of water on the field.

Wants to Cut His Beard. The men as a whole have been very considerate of him and Lieut. Baxter will not allow him to be gazed. However, it is not known what action the government will take and he is at present being forced or carried to drill.

Wants to Buy His Beard. "You want to buy his beard?" the soldiers shouted. The beard man in question, who had a beard as long as his hair, refused to let it be cut.

TEACHERS REASSERT THEIR PATRIOTISM

Resolutions Adopted by Faculty Chattanooga High Regarding Mr. Brown's Interview.

The teachers of Chattanooga High school met Saturday and adopted resolutions regarding a recent interview with Foster V. Brown regarding the work of making out occupational cards of registrants under the draft law.

The preamble and resolutions adopted are self-explanatory and are as follows: "Whereas, in commenting on a letter of Mr. Rutledge Smith, relative to the work of teachers in filling out occupational cards to assist local draft boards in Tennessee, Mr. Foster V. Brown, chairman of city draft board No. 1, uses the following language in 'The Chattanooga News of March 4: 'The work of making out occupational cards is the only work the school teachers have been called on to do, and I am sorry that they are far behind what they should be; and, 'Whereas, said article further indirectly quotes Mr. Brown as follows: 'Mr. Brown declared that city and county teachers were not showing their patriotism just now when the only task the government has called upon them to do is to make out occupational cards, and that he should be proud to do their bit; and, 'Whereas, a correction has been attempted in an obscure location in the issue of The News of March 7, which, because of its position, has not been understood generally by readers; and,

"Whereas, we, the white teachers of Chattanooga, met Saturday to fill out occupational cards, and to discuss the questionnaires sent to some place where many teachers could work at one time and the teachers would meet on Saturday and do the whole work at one time; and, 'Whereas, the board stated that this was impracticable, since the questionnaires could not leave his office. Only twelve teachers could work at one time in his office; hence, to have completed, the commissioner and superintendent agreed to detail one teacher from each of the twelve white buildings to do the work in order for the work of the schools to be interrupted as little as possible it was thought best to have a different group of twelve each day. Otherwise it would mean that the school room would have to be dismissed till the work should be completed. We were very glad to render the service, but instead of taking two weeks, it could have been done in one week, which is being demonstrated today."

"Second—Mr. Brown, either because his splendid work for the government has caused him not to have time to investigate why the teachers have done and are doing or because he thinks (judging from the above quotations) that he is the only one who has the right to call on teachers for war work, has been entirely in error in the above quotations. "Third—Realizing that it is impossible in a short set of resolutions to enumerate what all the teachers have done, we mention the following: as some of our work: We have collected or directed the knitting of several hundred sweaters and have made many other articles for the comfort of our soldier boys and camp and at the front; we have assisted in the Red Cross campaign, the army library campaign, the liberty loan campaign, the food conservation campaigns, the thrift stamp campaign, the Y. M. C. A. campaign, the Junior Red Cross work, and the work of the Patriotic League; we have made and are making clothes for the Belgian and French children; we are taking care of some French war babies; we have encouraged and assisted our pupils in their war work; we have assisted at entertainments for the soldiers in camp; we have given out meals when we were able when called on each teacher in the system having at one time given to the library fund for the soldiers; we have completed filling out the occupational cards for Mr. Brown's exemption board, for which we are courteously and generously thanked in the above quotations; we have taught patriotism to our pupils in as many ways as we could and are still doing so. These things in addition to the regular duties of the school day."

"Fourth—We refuse to permit one individual to sit in judgment on the quality of the work done, and in order that these resolutions may be read as widely as the article in question, we direct that a copy of these resolutions be printed on the minutes of the association and a copy be given to each of the Chattanooga papers with a request for their publication."

Patriotic Mass Meeting At Junior High Planned

Under the auspices of the Civic League and Parent-Teachers' association, a patriotic mass meeting will be held at Junior High school Tuesday evening at 7:30 o'clock. Mayor Jesse M. Littleton and T. R. Preston will deliver addresses, and music is to be furnished by the Eleventh Infantry band. The audience will sing patriotic songs. Mrs. Stanfield will render a patriotic recitation.

Don't fail to attend the big shoe sale of the entire stock of the Kelso-Neal Shoe Co. They are almost giving them away. Sale starts today at 9 a.m. Market Street.

Under the auspices of the Civic League and Parent-Teachers' association, a patriotic mass meeting will be held at Junior High school Tuesday evening at 7:30 o'clock. Mayor Jesse M. Littleton and T. R. Preston will deliver addresses, and music is to be furnished by the Eleventh Infantry band. The audience will sing patriotic songs. Mrs. Stanfield will render a patriotic recitation.