

## HOUSE SPEAKER IS TRAPPED IN GOODRICH NET

Governor Threatens to Cast Eschbach Out Unless He Pushes Program.

### HOLDS TWO GOOD JOBS

The ends to which the Goodrich administration will go in order to perpetuate its control on the state legislature was made apparent in the election of Jesse E. Eschbach of Warsaw, chief of state accounting board, as speaker of the house of representatives for the special session.

The speaker's election was protested by Representative J. L. Arby of Lawrenceburg, on the ground that under the constitution he can not hold two lucrative offices at the same time.

Mr. Arby's objections were overridden by the republican majority.

Eschbach, sensing the gathering storm, and resigned as head of the accounting board, in order that he might preside as speaker.

His resignation was offered, it is generally understood, under the belief that Gov. Goodrich will reappoint him after the session.

According to reports prevalent about the statehouse, however, Eschbach, who has exercised considerable independence in the accounting department, has been unseated in an adroit political move engineered by Goodrich.

It is said, however, now that he has Eschbach's resignation in his hands, that he threatens to appoint another man in his place unless he follows executive orders in expediting the Goodrich bills.

### FEARS LOSS OF FORMER OFFICE

Eschbach, now fearing the loss of his office, is expected to follow the governor's bidding, according to his close friends.

In protesting against the selection of Eschbach, Representative Arby set out the following points:

"No person shall hold more than one lucrative office at the same time. Constitution of Indiana, article II, section 9.

"The office of a member of the general assembly of a state is a lucrative office."

"A person holding the position of chief examiner of the department of inspection and supervision of public office, occupies a lucrative office."

"The constitution prohibits Mr. Eschbach from holding both of these offices at the same time."

"At the time Mr. Eschbach was appointed to the general assembly office he was a member of the general assembly of the state of Indiana. When he was appointed to the second office, such appointment and his acceptance operated, as a matter of law, to vacate his office as a member of the general assembly."

"It is well settled that the acceptance of a second office of the kind prohibited operates ipso facto to absolutely vacate the first."

**CITES NUMBER OF AUTHORITIES.**

Mr. Arby then cited a number of authorities to prove his contentions and continued:

"No judicial determination is therefore necessary to declare a vacancy in the first office, but the very moment the new office is accepted the old one becomes vacant."

"As is said in one case, his acceptance of the one was an absolute termination of his right to the other, and left no shadow of title so that neither quo warranto nor a motion was necessary."

"A resignation by implication occurs when the organ of one office accepts an appointment to another office incompatible with the former one."

"When Mr. Eschbach accepted the office of state examiner of the department of inspection and supervision of public affairs his office as a member of the general assembly became vacant at once by operation of law."

"Since the time the office has remained vacant and he has today no shadow of title to the office of representative for the district from which he was elected."

"The office thus made vacant can be filled only by a special election, called by the governor to fill such vacancy, as provided in article 5, section 19, of the constitution."

### FACT DOES NOT REINFORCE HIM.

"The fact that Mr. Eschbach may have received his appointment from the governor does not reinforce him in his former office."

"For he could be entitled to serve in such office he would have to be reelected by the people of his district."

"When the office became vacant by his acceptance of the new office, the people were entitled to fill the vacancy by electing a person of their own choosing."

"Instead by resigning the new office, take back again the office he voluntarily abandoned."

"Under the constitution of this state, as construed by the supreme court, Mr. Eschbach is not a member of the general assembly, and has not been such a member since the time he accepted the new office."

"He is not entitled to sit as a member of this body, or preside over it as its speaker."

"Every member of this body has taken an oath to support and uphold the constitution of this state."

"You cannot, under the constitution, recognize Mr. Eschbach as speaker, for he is not a member of this body; you can only recognize him as speaker in deliberations unless you are willing to disregard the oath that you took when you assumed the duties of your office."

"Another member of the house, Truman P. Tullman of Boonville, representing Vanderburgh and Warrick counties, also is said to be an employee of the state board of tax commissioners."

### STILL HOLDING TWO LUCRATIVE JOBS.

Tullman, however, has not made a technical resignation and, according to information about the house, is still holding two lucrative positions under the state."

The right of Gov. Goodrich to defy the state constitution by not calling special elections to fill three vacancies in the state senate was questioned by Senator Edward P. Elsner of Seymour.

He presented a resolution asking that a committee be named to inquire of the governor why the vacancies had not been filled.

The motion was defeated by the republican majority, however.

The question was raised by the death of Austin Rutherford of Anderson, the resignation of Glenn VanAken of Auburn to accept a place on the public service commission, and the conviction of Thomas J. Hudgings of Martinsville, republican of felony.

As a result of what is termed the governor's defiance of the constitution there are three senatorial vacancies and one in the house of representatives caused by the death of William Flick of Huntington.

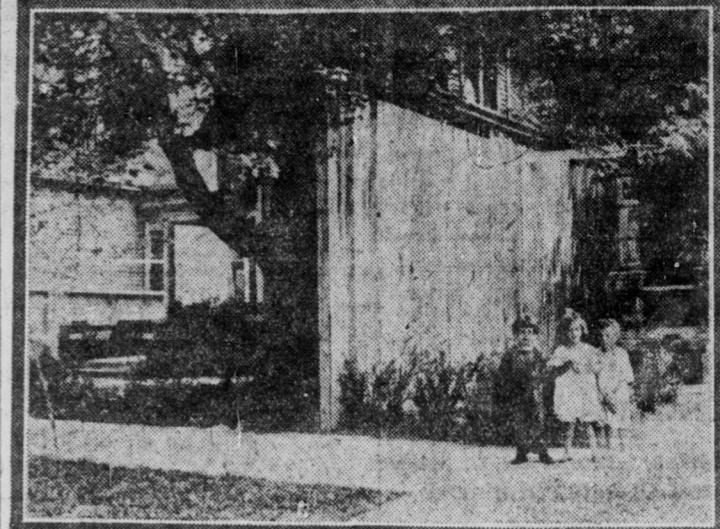
## Railway Mail Clerk Dies at Lafayette

LAFAYETTE, Ind., July 16.—Samuel M. Bushnell, 68, said to be one of the oldest railway mail clerks in Indiana, is dead here at the home of his son, Clifford D. Bushnell.

For thirty-eight years he had been a railway clerk on the Big Four, running from Chicago to Cincinnati.

Besides his son here, he leaves a widow and another son.

## Race Fence Starts Court Suit



A view of one of the fences built beside the home of Dr. Lucian B. Meriwether, negro, 2257 North Capitol avenue, by persons who objected to his moving into the neighborhood.

Two high board fences bound two sides of the property of Lucian B. Meriwether, negro dentist, 2257 North Capitol avenue, today.

The fences were built yesterday after-

noon by a number of unpainted boards, closely jointed.

The one on the south side of the prop-

erty is ten feet high and that on the north side six feet high.

The fences were put up by the Capitol Avenue Protective Association, the pur-

pose of which is to prevent the

association from moving into the district, according to Ira M. Holmes, 2164 North Capitol avenue.

Meriwether refused to comment, but he

### Synod Favors Daily Bible School Plan

Robert J. McLoudress, newly appointed director of religious education of the

### Death Takes Widow of Newton Taylor

Mrs. Lucinda C. Taylor, widow of the late Newton W. Taylor, former judge of the Marion County Juvenile Court, died suddenly today at her home, 2019 North New Jersey street.

Death was due to heart disease.

Mrs. Taylor was born in Annapolis, Ind., sixty-nine years ago.

She came to Indianapolis twenty-five years ago when she was married to Newton Taylor.

Mrs. Taylor was active in social life, having been president of the New Century club and the Maj. Robert Anderson Post, Woman's Relief Corps.

She was a member of the Central Avenue Methodist Episcopal church, having

been an active part in its affairs.

Mrs. Taylor is survived by three chil-

dren, Edgar S. Taylor of Philadelphia, Franklin N. Taylor and Miss Nellie Tay-

lor. The funeral will be from the home at 10 o'clock Monday afternoon.

### SAY "DIAMOND DYES"

Don't streak or ruin your material in a

soak dye. Insist on "Diamond Dye."

Easy directions in package.

### "FREEZONE"

Get Off Corns! No Pain!

Don't let corns bother you. Use

"Freezone" to get rid of them.

Our druggist sells a tiny bottle of

Freezone for a few cents, sufficient to

remove every hard corn, soft corn, or

corn between the toes, and the calluses,

without soreness or irritation.—Adver-

tisement.

### Headaches From Slight Colds

"Laxative Bromo Quinine Tablets"

relieve the Headache by

Curing the Cold.

*E. W. Grove*

### House Speaker Is Trapped In Goodrich Net

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resignation of Glenn VanAken of Auburn

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## BRYAN, SUNDAY DRY NOMINEES?

Prominent Prohibitionist Says Only These Would Satisfy.

LINCOLN, Neb., July 16.—Plans for the annual meeting of the state convention, which meets here Wednesday to nominate candidates for president and vice president, were going forward today.

W. G. Calderwood of Minneapolis, vice chairman of the national committee, declared today: "This will be the greatest campaign in the history of the party, for these are very important reasons."

"First, both old parties were so afraid

of losing a vote that neither dared to

declare for any political principles.

"They have used a mass of vague, ambiguous words with which to studiously say nothing."

"Secondly, prohibition, which has as yet had no adequate chance to demonstrate its benefits, has the newness of the movement, the new machinery and the organized effort to discredit the law."

"Finally, prohibition is the only really live issue."

When asked about the ticket, Calderwood said that while many nominees were being talked of, he would be satisfied only with William J. Bryan and William (Billy) Sunday of Oregon.

## Bumper Melon Crop Expected in Knox

VINCENNES, Ind., July 18.—Announcement is made by Claude C. Winkler, Vincennes commission man, that the Knox county cantaloupe crop will be ready for the market about July 22.

Mr. Winkler states that in spite of the fact that the acreage is no larger than formerly, the crop will be far greater because the weather conditions have been more favorable than usual for the growing of melons.

Knox county this season will also produce more watermelons than in any year in the last eleven.

Eleven years ago more than 900 ears of melons were sent to the market from Oakton in the northern part of the county.

The Oakton community alone has 600 acres of melons, and the acreage is increasing every year.

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