

## The Indianapolis Times

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### DON'T MAKE US LAUGH

AS A HUMORIST Frederick E. Schortemeier, secretary to the Governor, ex-secretary of the Republican State committee and candidate for Secretary of State, is a good politician.

We presume he was not serious when he said in connection with the appeal for honesty in State government made by Dr. Carleton B. McCulloch, Democratic nominee for Governor: "It would be far more helpful to the voters if Dr. McCulloch would indicate just which officials are dishonest and just where the alleged dishonesty has resulted in the loss of any money to the people."

In order to refresh your memory, Fred, we might recall that not so long ago Indiana had a Governor named Warren T. McCray. This same Warren T. McCray is in the Federal penitentiary at Atlanta. Before he went he did various things. He "borrowed" \$155,000 of State board of agriculture money. It was paid back by the Goodrich "pool," but it still is endangered by bankruptcy proceedings.

Before Governor McCray made his trip south he and the treasurer of State deposited in the McCray bank at Kentland far more State money than the law allowed. Then he proceeded to wreck the bank. Has all of that State money been recovered?

Indeed, this is a sterling example of honesty. It is strange, Fred, that your memory is so short. If we remember correctly, you sat at your desk in Republican headquarters during all the time the Republican committee was fighting about McCray's retirement and the qualifications of his successor.

Then, Fred, there was Roy Couch from Sheridan, who was superintendent of buildings and grounds. If we remember correctly, he went north instead of south, stopping at Michigan City. Claims are still being made against Couch's department. He admitted the charges against him.

Of course, these gentlemen are not officials now. Our efficient Federal and county courts saw to that.

Then there have been other things going on in the Statehouse, Fred, in case you have been too busy campaigning to know about them.

There is the case of the highway commission concerning which, if you recall, the Governor whom you are serving as secretary asked a grand jury investigation. If you will look into the records, Fred you will find that the State board of accounts charged irregularities amounting to \$50,000, but that the highway department replied that they amounted to "only \$8,000." If you will take a few minutes off from your campaign, Fred, you can get in touch with William H. Remy, Marion County prosecutor, who will tell you that he is investigating the disposition of war materials by the highway department as rapidly as official interference will permit.

You talk about losses to the people of Indiana. Did you ever hear of the R. L. Dollings Company? Perhaps it will be well to refresh your memory as to that also. You know, we presume, that as Secretary of State, your candidate for Governor, Ed Jackson, is head of the State securities commission and that it is his duty to investigate concerns selling securities in Indiana and to protect investors.

You possibly know that this same Ed Jackson gave the Dollings Company a clean bill of health and then went outside the bounds of his official duties and publicly endorsed the company. You also know, possibly, that thousands of Indiana citizens were robbed of millions of dollars by this concern, praised so highly by your candidate for Governor.

Of course, we are not charging dishonesty in connection with the Dollings affair—just inefficiency.

Therefore, may we suggest, Fred, that you refrain in the future from asking such funny questions. Laughing makes wrinkles.

### WHO BUSTED THE CONSTITUTION?

SENATOR LA FOLLETTE has been preaching that the courts have far over-stepped their rights and have themselves violated the Constitution of the United States.

Especially has he emphasized this in the case of labor injunctions.

The answer has been a series of hoarse cries from Chairman Butler and Nicholas Murray Butler and all the little butlers of privilege.

One who has lent his voice to the uproar about "tearing down the Government," "destruction of the Constitution," "revolution," "communism," and the Lord knows what, has been James M. Breck, who was Harry Daugherty's solicitor general in the Department of Justice, and who continues in that job in the present cautious, silent Administration.

Daugherty and the Department of Justice and Beck and all the rest had a theory that even when Congress said that a two-by-four judge could not put a man in jail for contempt in a labor case, that Congress was violating the Constitution.

The Supreme Court now says that Daugherty and Beck and the Department of Justice and all the big and little butlers were wrong and that Bob La Follette was right.

Incidentally, the Supreme Court's decision shows that the theory of the Wilkerson decision in Chicago, which had its inner tubes inflated by the Red Terror gas of William J. Burns, was itself unconstitutional and that the hundreds of men who have been hauled up by the Wilkerson injunction and denied trial by jury were themselves denied Constitutional rights. So that it is our well-known Department of Justice that has recently been destroying the Constitution.

This time they didn't get away with it.

So that's that.

AND, AT the same time, the camera made a world flight.

WITH THE farmer it seems to have been the case that, for every furrow he turned in the ground, he put two on his brow.

A GIRL, on a motor trip of seventy-six thousand miles, says she received seven proposals of marriage. Slow work, unless she was homely or penniless.

ACCORDING TO the natural histories, the "pewit" is a bird also known as the laughing gull. So, Charlie Dawes did not invent it—he merely provoked it.

## DECISION IS VICTORY FOR LABOR

Justice Wins in Ruling by Court on Clayton Act.

By N. D. COCHRAN

THE unanimous opinion of the Supreme Court in sustaining the constitutionality of the Clayton act as to trial by jury in certain contempt proceedings is more than a victory for labor. It is a victory for justice.

The immediate beneficial effect will be to put a crimp in the vicious practice of district Federal judges in outraging the Constitution by summary punishment for contempt in industrial conflicts.

Much of the contempt for courts has grown out of the tyranny of Federal judges in industrial disturbances, where invariably that tyranny has been exercised in behalf of employers and against striking employees.

The Clayton act was constructive legislation seeking to right some of the wrongs suffered by employees with lawfully exercising their right to better their condition through collective bargaining and by striking, when they believed the strike to be their last resort.

Trial by Jury

The plain guarantee of the Constitution of the right of trial by jury was made inoperative by judges who assumed the right to determine not only the law but the facts, and then to inflict punishment for disobedience of their arbitrary orders.

In the Michaelson case, where striking railway employees were involved, both the district court and the court of appeals had held that trial by jury was not a right.

The Supreme Court now reverses both lower courts and holds that trial by jury upon demand is mandatory, and that in providing for trial by jury in such cases Congress, in the Clayton act, does not infringe upon any power of the courts granted by the Constitution.

The court says: "The simple question presented is, whether Congress may require a trial by jury upon the demand of the accused in an independent proceeding at law for a criminal contempt which is also a crime. In criminal contempt as in criminal cases, the presumption of innocence obtains. Proof of guilt must be beyond reasonable doubt, and the defendant may not be compelled to be a witness against himself."

Overthrows Legal Concept

This opinion overthrows the legal concept long sustained in American practice by the courts that the power to punish for contempt is an inherent judicial power to punish for contempt is an inherent judicial power which cannot be interfered with by legislative authority.

The practical effect of the decision is to prevent the practice of Federal judges, procuring a judge-handled injunction prohibiting everything the corporation lawyer can think of, and then having the judge put working people in jail for contempt of court. This was a very effective strike-breaking weapon.

Another thing this decision does is to prove that when Senator La Follette and others were denouncing courts for assuming power not given them either by Constitution or statute, they were defending rather than attacking the Constitution. It was the injunction judge, not La Follette, who was attacking the Constitution.

Of equal significance and importance to labor was the decision of the Supreme Court that when an employer strikes he doesn't cease to be an employer or lose any of the rights guaranteed to him as an employer by the law. The court holds that a striking employee is still an employee. That has a tremendous meaning to organized labor everywhere.

### Exercise

By HAL COCHRAN

When you've traveled so far, you will get up your car and you'll shine it with vigor and vim. Then your working won't cease till you've changed all the grease, 'cause you're anxious to keep it in trim.

But what do you do, when the worn one is you; when you've let yourself run rather low? Your system's in the gutter, but you'll travel on luck just as long as your work-ings will go.

Through the day and the night you will say "I'm all right," though you know you're not feelin' so good. Some day you'll be wrecked, though your total neglect, 'cause you have a don't just as you should. There's never, like today, was a time, so they say, when a fellow should full realize that to keep in the game he must fill up his frame with the right share of real exercise. (Copyright, 1924, NEA Service, Inc.)

### Science

Today, color-blindness is a serious difficulty in the way of a person earning a living. A generation or so ago, it was considered a matter of small importance. Many persons, suffering from the disease, went through life without knowing they were afflicted. The only persons, as a class, who were greatly affected by the problem were railroad men, who had to take tests for the distinction of colors.

Today, with the common use of automobiles and the rapidly growing use of colored lights for signs and signals, color-blindness becomes an important matter.

The defect is hereditary and much more common in men than in women. A woman may have normal eyesight herself and yet transmit the color-blindness to her children. This is because what the geneticist calls a recessive character. A man may have a color-blind father and still not transmit the defect. But a color-blind woman, married to a color-blind man, transmits the defect to all offspring, both sons and daughters.

### Chimneys

INDIANAPOLIS staged a very successful fire prevention week not long ago. The city administration, insurance men, schools and other agencies co-operated in a week's intensive educational effort to promote the gospel of fire prevention.

Nothing was overlooked, except the weather, in impressing on the public the fire hazard.

And all went well. Until the past couple of days when our South Sea weather shattered momentarily, and the mercury fainted.

Then the fire department became rushed with something besides dress rehearsals. They had to keep on the run until their tongues hung out. And the checker players among them are sadly off their game.

Twenty alarms were turned in during the first twenty-four hours of the chill.

Most of them in response to feverish conditions of chimneys and flues. As a result of which many householders are leaping from a soft bed to the brittle night with the fire demon holding their shoulder blades. The citizen is discovering that a mantle of flame is scarcely decent raiment in which to face a gaping street.

Which might have been avoided if the state of health of chimneys and flues had been inquired into during the summer.

But the chimneys weren't needed then, why bother? Yet a chimney is like a shirt stud. When it's wanted it's wanted badly.

### Deadheads

AN Indianapolis boy, James Mullen, was returning home from Princeton, Ill., where they had been working. At Terre Haute they decided to "deadhead" home by stealing a ride on a freight train.

James Mullen saved railroad fars, all right—but he fell between the cars. And his free ride was to a Terre Haute hospital, where he died. A similar occurrence took place here the other day.

John Embrozner hopped a Big Four freight for a free ride to the coal fields. All the ride cost him was both legs.

The list could be extended indefinitely. For the railroads are constantly tormented by persistent fellows who insist freight trains and try to beat the way.

Free rides are scarce on the railroads or elsewhere on the human journey.

About the only thing free in the world is the air. And in this city our lungs have to toil to disentangle them from the coal smoke in which it is wrapped.

For what we get, we pay. In cash or its equivalent.

Yet, despite frequent disasters, there are always optimists who think they can hop the train of time and "deadhead" from the cradle to the grave. They generally arrive at life's destination full of clinders.

### Wind

ALBERT J. BEVERIDGE, former Senator, in a political speech at Shelbyville, uttered a sage remark. It was:

"Old-time funny speakers pretend to be the sage, but all of us know that is put on—merely the claptrap of out-of-date campaigning."

And the silver-tongued has vanished. The world has outgrown him.

Nowadays normal folks wouldn't drive twenty miles over country roads to hear any stump speaker. The human windmill who waved the flag and tattered shreds of the starchy firmament in his hands while he sprayed his auditors with a mass of wriggling adjectives—wouldn't interest the modern crowd.

Words used to be overlooked by every one. Writers and speakers heaped them up until they tottered over by their own weight burying whatever thought lay underneath.

The embroidered vocabulary is now in the attic with the hair sofa. For today we use words simply to clothe ideas—and the more naked the idea is the better. Our speeches and letters are short and pointed.

The man who wooed with odes, and considered a love letter of less than fifteen pages a curt note, is succeeded by a grandson who writes it all in a ten-word telegram. With the same effectiveness.

We find we can sail faster than grandfather—with less wind.

### No Improvement

"I love you as no one ever loved before."  
"I can't see much difference."  
—American Legion Weekly.

## Hoosierisms

BY GAYLORD NELSON

THE Southeastern Civic Improvement Club is waging a campaign against closing Pine, Oriental and Cruise Sts. and Arsenal Ave. at the railroad crossings south of E. Washington St.

It charges the Pennsylvania Railroad and the Ford Motor Company seeks to close these streets to avoid track elevation—and underpasses with their heavy expense—from Noble St. to State Ave.

It has protested to the city plan commission and board of works.

A city must have arteries like any other beast.

And Indianapolis now possesses too few through arteries. Dead end and closed streets clog our circulation and throw traffic into already congested channels.

If the north and south ends of a main body were as nearly severed as the north and south parts of Indianapolis he could consider himself decapitated for all practical purposes.

To stitch him together the surgeon would use a sewing machine.

By underpasses a beginning has been made to stitch together the severed body of this city. At it will take more stitching before it's a well-knit whole.

Therefore a proposal to close their outlets to Washington St. is resisted by residents of the southeastern section. They feel it now suffers from impeded circulation. And the stopping of more traffic channels will afflict it with hardening of the civic arteries and partial paralysis.

## PRESIDENT IS ELECTED ON FEB. 11

Voters Merely Cast Their Ballots for the Electors.

1322 New York Ave. Times Washington Bureau.

WASHINGTON, Oct. 24.—Who's President-elect, and who isn't, you may learn from the newspapers of Nov. 6—or, then again, you may not, if the election's thrown into the House, but • • •

Be that as it may, three months later, at 1 o'clock on the afternoon of Feb. 11, 1925, the gentlemen of the United States Senate will gather with the gentlemen of the United States House of Representatives in the House to count the electoral votes for President of the United States.

The meeting will be presided over by the President of the Senate, at whose right hand will sit the Speaker of the House of Representatives.

Four tellers, two representing the Senate and two representing the House, will open the ballots. The ballots will have been received by registered mail from each of the electors chosen at the polls on Nov. 4 and will number 531. In addition there will be forty-eight certified ballots from the various secretaries of State of the States of the Union.

Provided by Congress

This formality in the election of the President is provided for in an act of Congress, approved Feb. 3, 1887. The second Wednesday in February is specified as the day on which Congress shall record the result of the presidential election.

In this same law it is also provided that on the second Monday of January next, following the presidential election in November, the electors chosen in each of the States shall gather at some specified location within their own State to cast their votes.

The secretaries of State of each of the States are instructed to notify the electors who have been successful in the November election. They must be notified in ample time to permit them to cast their votes on the second Monday of January, immediately following which they will meet at the State capital to cast their votes. The number of electors in each State equals the number of representatives and Senators from that State.

Attempts Fail

Though there have been many attempts to change the laws governing the election of President so that the voters could vote directly for their candidates, these have got no further than the pigeonholes of congressional committee desks.

In simple language, here is what the voters have to do: They specify as to the way in which they may express their preference for a presidential candidate.

You, let us say, are for La Follette and Wheeler. In your State, electors have been chosen, by convention, by primary or by petition, who assure you that they will vote for La Follette and Wheeler. The number of electors in each State equals the number of representatives and Senators from that State.

The La Follette electors, whose names appear on the ballot under the heading of "Progressives," or in California under the heading of "Socialists," are let us say, victorious and obtain more votes than do other electors who have promised to vote for Coolidge or Davis.

Then, after the November election and before the second Monday of January, the secretary of State of your State notifies each of the successful electors of his victory. On Jan. 12, second Monday of January, the electors then meet, usually at the State capital, to cast their ballots. These ballots are then sent to Washington, where, with the ballots for the other States, they are counted on the second Wednesday of February.

May Be In Doubt

If the approaching election causes disputes in some States over which electors have been successful, it may be that the result of the election will remain in doubt until next February, when Congress will have to settle the disputes.

It will be only after the February 11 meeting of Congress that the election itself can be taken up by Congress. That duty does not devolve upon Congress unless no candidate receives a majority of the 531 electoral votes, and this result cannot be officially known until Feb. 11.

The electoral college system of voting was borrowed from Europe where, particularly in the Holy Roman Empire, it had been used in selecting the rulers in the later middle ages. In the early days of the United States the electors were chosen by the State Legislatures, instead of by the voters themselves. It was not until after the Civil War that all electors were chosen by popular vote, since Carolina having entrusted that duty to the Legislature until 1872.

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## The Bonehead



### Ask The Times

You can get an answer to any question of fact or information by writing to The Indianapolis Times Washington Bureau, 1322 New York Ave., Washington, D. C. enclosing 2 cents in stamps for reply. Medical, legal and marital advice cannot be given, nor can extended reports be undertaken. All other questions will receive a personal reply. Unsigned requests cannot be answered. All letters are confidential.—Editor.

How can I prepare a stage make-up face paint to give a brown color for an Indian part?

You can prepare a brown face paint by using finely levigated burnt umber, or for a reddish-brown, sienna or similar dry powders. The general principle in making such preparations consists in mixing the dry powder, a little darker than the desired tint, with some fat, such as petroleum or lard. However, it is usually cheaper to purchase your face paint from a dealer in theatrical goods.

Where was the fighter Joe Beckett born?

In Southampton, England.

What is the origin of the name "orange" for the fruit?

It comes from the Latin word, "aurum," meaning "gold," because it was called the "golden fruit." When was Ramon Novarro born?

Feb. 6, 1939.

In the motion picture production, "America," what actors played the parts of George Washington and Paul Revere?

The George Washington part was played by Arthur Dewey; Paul Revere by Harry O'Neill.

What are the average salaries paid to railroad firemen in the United States?

The average salary of a passenger fireman is \$192 per month; a freight fireman, \$188 per month, and a yard fireman, \$155 per month.

What causes the tides of the ocean?

The gravitational attraction or pull of the moon and the sun on the earth; the moon's influence being far the greater in this respect.

When was the first radio message sent out from Arlington?

December, 1912.

To what use is jute mostly put?

Carpets, bagging, canvas and mats.

Which is the longest railroad tunnel in North America?

At Rogers Pass, on the Canadian Pacific Railroad, five and one-half miles long.

Who wrote "The American's Creed"?

William Tyler Page, the clerk of the United States House of Representatives in 1917.

Who was "Tiny Tim"?

A child character—a cripple, in Dickens' "Christmas Carol."

When and where were the modern Olympic games first held?

Athens, in 1896.

When were the first buildings erected in New York?

In 1613, when Adrian Block built four trading houses on the site now 41 Broadway.

### Know Indiana

What was the first currency to enter Indiana Territory?

Spanish milled dollars and a few notes of the Bank of the United States.

When were the first banking institutions chartered?

In 1814 the territorial Legislature chartered banks at Vincennes, capitalized at \$500,000, and one at Madison for \$750,000.

When was the first State bank authorized?

In 1817, after the disastrous panic following the war with Great Britain, the Vincennes bank was adopted by the Legislature as a State bank.

Which is the oldest city in the United States?

St. Augustine, Fla.

### Tom Sims Says

A woman seldom makes dough like her husband's mother did. And a man seldom makes dough like his wife's father did.

Nothing makes the other furniture looks worse than buying one new chair.

The kitchen stove is mightier than the can opener.

An optimist is a man who keeps his thermometer in the ice box in summer and in the stove in winter.

A pessimist is a man who keeps his thermometer in the stove in summer and in the ice box in winter.

An opportunist is an old maid who keeps silk pajamas near to slip on in case of fire.

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