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# The Indianapolis Times

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TWO CENTS

RAIN tonight and Thursday; warmer tonight; colder on Thursday.

## DYING STORY OF GIRL DEALT BLOW

### Duvall Wins Eleven Wards, Myers Four

#### LEADERS TALK OVER WHO IS TO GET PLUMS

Lieut. Claude Johnson Mentioned for Chief of Police.

#### FACTION SPLIT SEEN

Coffin and Klan May Battle for Control.

With John L. Duvall safely determined the next mayor of Indianapolis, Republican politicians today were speculating on the appointments to scores of positions in the next city government.

Of first importance is the position of chief of police. Duvall pledged that he would appoint someone thoroughly familiar with police duties, but did not commit himself to anyone now serving in the ranks.

#### Johnson Leads

Lieut. Claude O. Johnson, former traffic inspector, was regarded as probably the leading candidate.

Arthur E. McGee, former policeman high in Klan circles, was also mentioned, but his appointment was regarded as unlikely.

Claude Worley, Criminal Court investigator, is endorsed by friends of George V. Coffin, Republican city chairman, but Worley's alleged connection with D. C. Stephenson is believed to stand in the way of his choice. George Snider, ex-sheriff, another possibility was said slated for a position on one of the boards governing the city.

Possibility of a split between the Coffin and Klan faction of the Duvall supporters is believed likely to result in the appointments and to indicate a contest for control of the county Republican organization.

Coffin, in a statement Tuesday night, said the distribution of positions by the Klan antagonized the voters.

#### Coffin Scored

William A. Boyce, Republican city clerk candidate, ran ahead of Duvall because Boyce "did not have Coffin hung around his neck like a millstone," R. F. McNay, grand titan of the Klan, said.

Alvah J. Rucker, head of the Duvall speakers' bureau, is mentioned for city attorney or corporation counsel in the new administration. (Turn to Page 16)

#### LINER BATTLES GALE; 76 HURT

Injured Taken to Cherbourg and Southampton.

By United Press  
SOUTHAMPTON, Nov. 4.—The Berengaria arrived here today bearing twenty-six passengers injured during Saturday's and Sunday's storm when the giant liner fought waves thirty to fifty feet high.

Fifty others debarked at Cherbourg bandaged, cut and bruised by being hurled against bulkheads as the liner wrestled the waves.

Damage estimated at \$10,000 was done to the ship's furniture and crockery.

The captain described the gale as the worst in his experience.

Passengers declared they were hurled about as though they were feathers as the waves buffeted the craft. The ship carried 360 first-class passengers, including Mrs. W. W. Vanderbilt.

William A. Pope of Chicago said the waves were like mountains and swept over the stern, flooding the second and third class quarters.

#### FLAPPER FANNY SAYS



It's the moonlight that makes a fellow tell a girl the things she knows he doesn't mean.

Republican Mayor and Council Candidates Swept Into Office by Majority Over 8,000—Klan School Ticket Also Victorious.

John L. Duvall, Republican candidate for mayor, carried eleven of the fifteen wards in the city in polling an 8,000 majority over Walter Myers, his Democratic opponent, unofficial tabulation of official election returns showed today.

Myers carried only the Third, Ninth, Twelfth and Thirteenth wards. In the Third ward official totals compiled by election commissioners gave him a majority of 7 votes.

With Duvall the entire Republican city ticket and the Klan slate of school commissioners was swept into office.

The returns show these Republicans elected:  
John L. Duvall, mayor.  
William A. Boyce, city clerk.  
Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Austin H. Todd, Otis E. Bartholomew and Boynton J. Moore, city councilmen.

The Democrats, by virtue of the law providing six of the leading party and three of the next highest party candidates shall be city councilmen, elected these three councilmen, the highest of the six Democratic candidates:

Edward B. Raub, Robert E. Springsteen and Arthur W. Lyday. The new school commissioners, backed by the Klan:

Theodore F. Vonnegut, 32,116; Mrs. Lillian Sedwick, 30,234, and Charles W. Kern, 20,082, all for the term beginning Jan. 1, 1926. Fred Kepner, 30,761, and Lewis E. Whiteman, 31,987, for the term beginning Jan. 1, 1928.

The citizens school committee slate did not run close to the Klan slate for the exception of the candidates for the term beginning in 1928. Fred Bates Johnson of the citizens' slate got 27,475 and Charles R. Yoke of the same slate 29,113, both being less than 3,000 behind the Klan candidates.

The citizens' candidates for the term beginning in 1926 received these votes: Mrs. Elizabeth F. Moore, (Turn to Page 17)

#### FOUR HURT IN AUTO CRASHES

Two Pedestrians and Bicyclist Included.

Four accidents, involving automobiles, were reported to police today.

Manuel Childs, 2054 Hovey St., was injured when the bicycle he was riding at Eighteenth and Capitol Ave. was struck by an automobile driven by Pina Wagner, 620 Rockano St. Wagner was slated.

William A. McAtree, 52, of 138 Fulton St., received a broken leg when struck by an auto as he was leaving a street car at Morris St. and Kentucky Ave. Frank Wurtzler, 1042 E. Thirty-Sixth St., the driver, was charged with assault and battery and passing a street car unloading passengers.

When he was struck by an automobile at 2203 E. Washington St., Walter Mundon, 14, of 10 N. Jefferson Ave., was injured about the head. Thomas Sprouse, 916 River Ave., driver, was slated.

O. H. Reeves, 1333 Charles St., was injured when an automobile he was driving was struck by a street car at Morris and Meridian Sts. Henry Brown, 1107 S. Illinois St., motorman, was charged with assault and battery.

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#### FIRST CHARLESTON NIGHT IS POPULAR

Instruction Given Free at Riverside Dance Palace.

The Charleston's caught on big! Hundreds of smiling persons at the Riverside Dance Palace Tuesday night agreed that under the instruction of Gene La Verne, dance instructor of Los Angeles, Cal., the fascinating new dance is easy to learn.

Waving coupons clipped from "The Indianapolis Times" which entitled them to free instruction, the dancers began arriving shortly before 8 p. m. La Verne showed both plain and fancy Charleston steps, and soon everybody was swaying happily.

Tuesday night's lesson was the first of a series of twenty that La Verne will give every night at the Riverside Dance Palace under auspices of The Indianapolis Times.

Lessons will continue from 8 to 10:30 p. m., and because La Verne is an expert instructor and teaches both a plain and fancy Charleston, anybody can learn. And fun! Everybody

### NEXT MAYOR AND FAMILY



Mr. and Mrs. John L. Duvall and children, Margaret Roberta and John Leslie.

#### Totals in City Election

The totals in Tuesday's city election, unofficially tabulated from official returns:

##### FOR MAYOR

John L. Duvall (Rep.) ..... 52,200

Walter Myers (Dem.) ..... 43,240

##### FOR CLERK

William A. Boyce (Rep.) ..... 52,870

Thomas B. Wright (Dem.) ..... 42,288

##### FOR COUNCIL (Nine Elected)

Walter R. Dorsett (Rep.) ..... 52,758

Claude E. Negley (Rep.) ..... 53,144

O. Ray Albertson (Rep.) ..... 52,740

Austin H. Todd (Rep.) ..... 52,915

Otis E. Bartholomew (Rep.) ..... 53,410

Boynton J. Moore (Rep.) ..... 53,481

Arthur W. Lyday (Dem.) ..... 42,638

Robert E. Springsteen (Dem.) ..... 43,100

Edward B. Raub (Dem.) ..... 43,205

Millard W. Ferguson (Dem.) ..... 42,363

Albert W. Miller (Dem.) ..... 42,425

Fred W. Vahling (Dem.) ..... 42,613

##### FOR SCHOOL BOARD

Term Beginning Jan. 1, 1926

(Three Elected)

Alex. Alexander ..... 5,993

Clarence G. Baker ..... 22,870

Riley Bush ..... 3,236

Adolph G. Emhardt ..... 10,615

William E. Gibson ..... 12,165

Edward W. Harris ..... 22,288

Charles W. Kern ..... 30,082

Elizabeth F. Moore ..... 21,917

Clarence L. McPherson ..... 2,912

Lillian Sedwick ..... 30,284

Theo. F. Vonnegut ..... 32,116

Carl S. Wagner ..... 1,705

Term Beginning Jan. 1, 1928

(Two Elected)

Fred Bates Johnson ..... 27,475

Charles R. Yoke ..... 29,113

Lewis E. Whiteman ..... 31,987

Charles R. Yoke ..... 29,113

#### Wales Lights on His Head

LONDON, Nov. 4.—The Prince of Wales lit on his head in a ditch Tuesday in his third start of the fox hunting season, which began officially Monday. Neither Wales nor his horse was injured, although the latter was mired and required the assistance of his royal rider and others to get out of the mud.

body was laughing and having a great time the first night. "Indianapolis" folks are good dancers—I see that already," La Verne remarked. "And everybody's going to be crazy about the Charleston here. It's fascinating. People everywhere are wild about it."

Remember instruction is absolutely free. Just clip the coupon from today's Times and come out to the Riverside Dance Palace tonight, from 8 to 10.

This coupon entitles you to admission to the Riverside Dance Palace and to free lessons in the "Charleston." You will not be admitted during the time when "Charleston" lessons are being given without this coupon.

HOURLY TEMPERATURE  
6 a. m. .... 40 10 a. m. .... 50  
7 a. m. .... 41 11 a. m. .... 54  
8 a. m. .... 43 12 (noon) .... 56  
9 a. m. .... 47 1 p. m. .... 58

#### G. O. P. CLAIMS MORAL VICTORY IN STATE VOTE

Democrats, However, Break Into South Bend and Marion.

With returns from all of Indiana's ninety-three municipalities practically complete, Republican politicians today were claiming a moral victory in the State.

Republicans apparently held their own in the majority of the cities, in addition to breaking through in several normal Democratic strongholds.

South Bend, long considered a Republican stronghold, went Democratic, however. Chester Montgomery was elected mayor by an estimated majority of 2,632 and practically the entire Democratic ticket was swept into office with him.

Marion for the first time in twenty years elected a Democratic mayor—John McConnell. Democrats also (Turn to Page 3)

#### TWO DEAD MEN ARE ELECTED

One Dies After Polls Close—Other Before.

By United Press  
PHILADELPHIA, Nov. 4.—Philadelphia elected a dead man for district attorney. John M. Patterson, Republican candidate, died during the night and stickers which would have elected a successor when Patterson's condition was found to be critical yesterday, failed to stem the tide of votes to the dying man.

#### SAKLATVALA BEATEN

Communist Member of Parliament Loses to Dead Conservative.

By United Press  
LONDON, Nov. 4.—Shapurji Saklatvala, Communist, recently barred from America on State Department orders, was defeated in the borough of St. Pancras by a dead man. He was beaten by his Conservative party opponent who died between the time he was nominated and election day. Saklatvala's seat in commons was not affected, the election being purely local.

#### \$75,000 TAKEN BY MASKED MEN

Messenger Beaten and Robbed in Business Sector.

By United Press  
VANDERGRIFT, Pa., Nov. 4.—Leaping from an automobile in the main section of the business district here, two masked men beat and robbed James Walthour, a messenger of the Vandergrift Savings and Trust Company of his satchel containing \$75,000 at noon today.

Walthour was about to board a train for Pittsburgh where he was to make the bank's weekly deposit when he was then in sight of the Pennsylvania station.

Members of the State tax board were to confer with Attorney General Arthur L. Gilliom this afternoon to consider measures to defend themselves against possible jail sentences.

Philip Zoercher, John J. Brown, and William Hough, board members, Monday were cited by Judge R. R. Carr, of the Fulton County Circuit Court for contempt in mandating the Fulton County auditor

#### Hard Work Brought Success to Duvall, Says Wife.

JOHN L. DUVALI had 52,200 backers in his successful race to become the next mayor of Indianapolis, but his most enthusiastic booster is a woman—Mrs. John L. Duvall.

While Mrs. Duvall gazed fondly at her daughter, Margaret Roberta, 7, and listened attentively for sounds indicating the awakening of John L. Jr., 18 months, today at the Duvall home at 5242 College Ave., she told a reporter her husband had become the next mayor because he had always tried to improve himself and look to the future.

Duvall stayed at a downtown hotel Tuesday night to avoid the rush of job hunters and has said he will leave the city for a two-day vacation before considering appointment of his official family.

#### Likes Races

"I believe I would say horse racing is Mr. Duvall's chief hobby," Mrs. Duvall said.

"My husband loves the out-of-doors and to play with the children in the yard," she said. "He also takes long walks, many times before breakfast."

"When Mr. Duvall was a boy he pictured himself seated in a banker's chair, and he became a banker," Mrs. Duvall said. "He has always worked hard for his objective."

"His father said John cost him the least to rear and amounted to more than any others of his children. Why, he waited on table at Valparaiso University when his father would have given him the money to go to school."

#### Reads Much

Mrs. Duvall said her husband is a consistent reader, preferring books of history and government, with little attachment for love stories.

Duvall has lived in Indianapolis since 1902. He practiced law for seven years, and then organized the Haughville bank, now the Citizens' State Bank, of which he is vice president. He organized other banks later and developed first the idea of Christmas savings. He now is chairman of the board of directors of the Marion County State Bank.

#### STATE TAX BOARD MEN FACING JAIL

Brown, Zoercher and Hough Cited for Contempt by Judge of Fulton County Circuit Court.

Members of the State tax board were to confer with Attorney General Arthur L. Gilliom this afternoon to consider measures to defend themselves against possible jail sentences.

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#### KLAN LOSES IN DETROIT

Mayor Smith Decisively Beats His Opponent.

By United Press  
DETROIT, Mich., Nov. 4.—Mayor John W. Smith of Detroit, seeking return to office on an anti-Klan platform, decisively defeated his Klan-endorsed opponent, Charles Bowles in yesterday's municipal election. Complete returns gave Smith a clear majority of 29,871 in a total poll of 253,011. Smith partisans also won five out of nine seats in the city council.

Organization of the campaign for a memorial to Dr. W. W. Parsons, former president of the Indiana State Normal School, who died recently and for Prof. Howard Sandfish, was completed at the Claypool, Monday night. Henry Cromwell of Terre Haute was unanimously elected chairman.

#### BEECH GROVE VOTES FAVOR STREET CARS

Progressive Ticket Is Winner in Suburb of City.

Beech Grove voted more than two to one for retention of its street car line to Indianapolis Tuesday, returns showed today. The Progressive ticket emerged victorious over the Citizens' ticket, candidates of which, it is said, pledged themselves to encourage bus transportation development.

William Gearhart was elected town clerk, Charles Adams, town treasurer, and L. C. Dukes, W. S. Newcomer and Harry W. Britton, trustees.

#### Favor Ordinance

The new trustees are said to favor enforcing, and redrafting, if necessary, a town ordinance, barring busses from certain streets in the suburb. Suit for an injunction against the trustees, filed by bus operators, is pending, as also is confirmation of the sale by the receiver of the street car line, which has operated at a loss.

The street car line was sold under a guarantee that bus competition would not interfere with the line's earning capacity, and confirmation of the sale will be hard to obtain, friends of the street car transportation declare, unless busses are barred.

#### Vote Given

The vote was:  
Progressives—Gearhart, 540; Adams, 534; Dukes, 528; Newcomer, 527; and Britton, 539.

Citizens' ticket—H. E. Bothwell, for clerk, 210; Charles Hartley, for treasurer, 166; and, for trustees, Homer Church, 227; James Boyer, 217; and Hayes Nelson, 188.

People's ticket—Vernon Perkins, for clerk, 104; H. Lee Clerk, for treasurer, 165; and, for trustees, John Lancaster, 133; Leslie Harrison, 99, and Ruben Brown, 129.

Howard Frances, running independently for trustee from the Second ward, received 23 votes.

Methodist Hospital Pathologist Says He Thought Miss Oberholtzer Was Recovering as Late as Eight Days Before Death.

AIDS DEFENSE THEORY GIRL HAD HOPES SHE WOULD LIVE

State Wins Point in Questioning Expert When Chemist Says There Is No Real Antidote for Bichloride of Mercury Poisoning.

By John L. Niblack and William L. Toms

CIRCUIT COURTROOM, NOBLESVILLE, Ind., Nov. 4.—

As late as eight days before he thought Madge Oberholtzer would recover, Dr. J. H. Warvel, pathologist of the Methodist Hospital, Indianapolis, testified this morning in the trial of D. C. Stephenson, Earl Gentry and Earl Kinck, charged with the girl's murder.

Dr. Warvel was the specialist who performed a blood transfusion on the poison victim on April 3. He said that Madge was much improved as a result of the transfusion.

"You thought on April 6, eight days before she died, Madge would recover?" asked Eph Inman, chief defense attorney, who cross-examined the expert.

"I did. She was much improved," replied Dr. Warvel.

Inman was visibly elated, as the defense contends that the girl's dying statement signed on March 23, was not a bona fide death statement under the law, as Madge had not given up hope of recovering. The death statement is the key-stone of the State's case.

#### Gives Cause of Death

On direct examination, Attorney Charles E. Cox, assisted by Prosecutor William H. Remy, asked Dr. Warvel the now famous hypothetical question, which takes fifteen minutes to deliver, and which has been asked all the other medical experts, concerning the cause of the death of the young woman under circumstances described in the dying statement.

The doctor answered that the cause was an infection superimposed upon the nephritis.

Meanwhile, Remy indicated that the State will complete its case late today or early Thursday.

Defense attorneys will likely present a motion that the judge issue peremptory instruction to the jury to find the defendants not guilty when the State closes. The defense, in its motion, probably will enter the formal charge that the State failed to make a case. If the motion is overruled and the defense puts on its own witnesses it will automatically waive the right to appeal from the denial of the motion, under the Indiana law.

Dr. Warvel had followed Dr. R. N. Hargy, assistant professor in chemistry at Indiana University, who was recalled to the stand for cross-examination on testimony he had given late Tuesday.

Dr. Warvel in answering the long hypothetical question evidently based his reply on specific facts in the case and not on a hypothetical basis, because he, Inman and Judge Will M. Sparks engaged in a three-cornered argument on his answer.

"In making your answer to the hypothetical question, you assumed that all the facts related were true?" asked Inman.

"I answered it on my findings in detailed explanation of the theory of alert young man."

"When you answer a hypothetical question, it must be answered purely on that basis, the same as if you never heard of this case," Judge Sparks told the witness.

"But his question was based on this case, Judge," said the young doctor, turning to Judge Sparks.

The latter then went into more detailed explanations of the theory hypothetical questions, pointing out that such a question is supposed to be based on a fictitious case and that if "such and such conditions were true" and "other conditions were so" the witness must answer along that line.

"It's over my head," said the witness.

"That isn't the way you practice medicine, doctor, but that's the way we practice law," said the judge.

Inman then resumed his questioning.

"Doctor, would emphasis like this, suppose a question, 'Oh, Dear! Put up the gun! Have made your answer any different than if the emphasis had been 'Oh! Dear, put up the gun.' Would that have made any difference in your answer?" Dr. Warvel scratched his head while he looked at the jury with a quizzical expression on his face.

"I don't see what difference that makes in medical testimony," said Inman, darting a glance at Attorney Cox, while the crowd, overjoyed at the break in the monotony of medical terms and analysis of (Turn to Page 2)

#### Myers Regrets Efforts Fail

WALTER MYERS, defeated candidate for mayor, today expressed regret that the tireless efforts of Democratic workers and his friends had not resulted in success and said he wished to thank all citizens who supported the ticket.

"I congratulate Mr. Duvall on his election," he