

The Indianapolis Times

FELIX F. BRUNER, Editor.

ROY W. HOWARD, President.

WM. A. MAYBORN, Bus. Mgr.

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No law shall be passed restraining the free interchange of thought and opinion, or restricting the right to speak, write, or print freely, on any subject whatever.—Constitution of Indiana.

Back to Common Sense

SOMEBODY remarked the other day that one of our principal troubles in Indiana arises from the fact that too many persons are insisting on upholding the Constitution and at the same time advocating violation of the various sections of that law.

Fortunately, it appears that we are getting away from this situation and getting back to a basis of common sense in connection with law enforcement. Every day brings further evidence that the Hoosier State is getting its feet on the ground and that we are in a fair way to live down the "Yewkant" reputation we recently so hilariously achieved.

Two things occurred Tuesday that add strength to this belief: First, the opinion of Judge James A. Collins of the Criminal Court setting out the law of search and seizure, and, second, the order of Frederick E. Schortemeier, Secretary of State, abolishing State police powers held by persons not actually on the pay roll of the State.

There was nothing new in the opinion of Judge Collins. The principles of law laid down therein are as old as the Magna Charta itself. Nevertheless, the opinion undoubtedly will have a wholesome influence on those enthusiastic individuals who have persisted in invading the homes of innocent persons merely on suspicion, or for no reason at all other than the fact that they wish to make a great show of law enforcement while violating the law themselves.

Judge Collins reaffirmed the fact that a man's home is his castle. This is the fundamental fact on which our American liberty is based. Without guarantees of the sanctity of the home, our boasted American freedom would be non-existent. The court held that before a home could be legally invaded FACTS must be presented to a COURT indicating that there is good reason to believe that the law is being violated in that home. Mere suspicion or hearsay evidence is not sufficient. There must be facts and they must be passed on by a court before a search warrant can be legally issued.

It may surprise some of our enterprising citizens to learn that this has been the law all the time.

Revocation of police badges promiscuously issued to civilians is another step in the right direction. In fairness to Schortemeier, it should be said that he inherited this practice from his predecessor in office.

Nothing could be more dangerous than the promiscuous granting of police powers to irresponsible persons. Police powers should be confined to individuals who can be held strictly accountable for their acts.

Investment

CLEVELAND citizens on election day, Nov. 3, approved a school bond issue for \$2,000,000, and a tax levy, to run for five years and to bring in additional millions for building purposes. Both of these school measures were passed by large majorities. At the same time voters sanctioned city bond issues to the number of a dozen and aggregating \$10,000,000.

No elaborate effort or drive was made for the school measures. Absence of organized or

outspoken opposition made such a drive unnecessary. The measures were approved—city and school alike—and that approval indicates the secret of Cleveland's greatness. The people have faith in education, in improvement. They see in a city of better streets and improved public hospitals, parks, and buildings as well as in education the soundest kind of investment.

The faith of the citizens in their public schools must of course be justified by the accomplishments of the schools. There is good reason to believe that it is and will be justified.

The foregoing is from a Cleveland newspaper. We wish that as much could be said of Indianopolis.

Chile Wants to Hold the Pooch

ONCE the neighborhood bully swiped a small boy's dog.

Every now and then the little fellow tried to get his puppy back, but the bully glared at him so it always scared him off.

After a while the bully began to feel the dog actually belonged to him. And the dog got so it answered when the bully called. Seeing this the small boy took his troubles to a cop.

"Sure," said the cop, "I'll arbitrate. I'll let both you kids call the pooch and the one it goes to keep it."

Now the little fellow knew his chance of getting his dog back under this system was pretty slim. But it was still slimmer any other way he looked at it. He certainly could not lick the bully. So he agreed. Likewise the bully. To him it looked like a cinch.

But the cop insisted upon certain rules. He said the only fair way would be for him to stand between the two boys to see that neither took any advantage of the other, while some neutral held the dog at a distance. Both boys would then call at the same time and the one the dog picked out would be "it."

"Not on your life!" objected the bully. "I'm gonna hold the dog and talk to it while the little sap stands off and calls it. If the dog gets away from me, it belongs to him, see!"

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CHILE, having taken the provinces of Tacna and Arica from Peru some forty-two years ago, and remained in possession ever since despite Peru's claims, now insists that if a plebiscite is to be taken to determine ownership, it must be with her "sovereignty" over the region unimpaired.

General Pershing, appointed by Arbitrator-President Coolidge to see fair play down there, is equally determined something approximating neutrality be established in the district while the vote is taken. Which makes Chile terribly sore. Like the bully of the parable she is strong for arbitration if she can hold the pooch. Otherwise she would seem to pre-fight poor little Peru for a decision.

Today, therefore, we find Uncle Sam, the cop, rubbing his chin, sorely puzzled. His prestige among the kids of the Latin-American neighborhood threatens to slump. Furthermore he wonders what on earth he would do if the big kid simply scorns his ruling and clings to the dog by force. It is embarrassing, really.

Those Who Are Wild Over 'Sleepy Time Gal' Can Get It as Recorded on OKEH

By Walter D. Hickman

THOSE who are interested in the gal who turns midnight into day and the fellow who wants to get a cottage and turn her into an "eight o'clock, stay-at-home, sleepy-time gal," will be glad to know that "Sleepy Time Gal" has been recorded.

Never in the history of this department have so many letters been received concerning a single song number.

"Where can we get 'Sleepy Time Gal' on a record?"

I can answer that, because Okeh sent me by fast mail their release of "Sleepy Time Gal," as played by the Jazz Pilots, with Harry Reser directing.

The chorus is sung by Tom Stacks and the orchestral parts have been arranged as a fox trot. The use of the banjo in this orchestra causes this number to become a syncopated gem. I use the word "gem" knowing just what it means.

Nick Lucas writes me that he has just recorded "Sleepy Time Gal" for Brunswick, and that his crooning and guitar arrangement of this hit will be released soon by Brunswick.

Just now the only recorded version of the "gal" is on an Okeh, and it is a mighty hot number.

I have been told that "Sleepy Time Gal" became a hit when it was expected to be one. The public liked it, loved it some more and now dealers can't get copies of it fast enough. I think the melody as well as the lyrics have aided in making it such a sensation.

A Christmas List

Brunswick has a splendid Christmas list of Yuletide music. The following list of Brunswick Christ-

Cold Baths Are Predicted

By Mr. Fixit

Let Mr. Fixit solve your troubles with city officials. He is The Times' representative at city hall. Write him at The Times.

Involuntary baths in cold creek water are likely on S. Meridian St., unless repairs are effected, a correspondent wrote to Mr. Fixit today.

DEAR MR. FIXIT: I am calling

your attention to what I consider a very dangerous place. The sidewalk on the west side of S. Meridian St. extends beyond the bridge railing and is partly broken. There is no protection to keep a person from falling into the creek.

MRS. M. M. D.

Harry Stevens of the improved streets department will investigate.

To Twenty-First St. interurban complaint: Mr. Fixit took this up with the board of safety, but found there was insufficient data as to location. Please advise him at once just where this dangerous crossing is.

DEAR MR. FIXIT: Is there any way of having this administration place a silent policeman and safety zones at Twenty-Second and Delaware Sts. before some one gets hurt? A TAXPAYER.

Board of safety members agreed

A Sermon for Today

By Rev. John R. Gunn

Text: "Esau, who for a mess of meat sold his birthright."—Heb. 12:16.

THE old proverb which says, "a bird in the hand is worth two in the bush," was the philosophy upon which Esau acted when he sold his birthright for a mess of meat. It was the philosophy of the Epicureans whose motto was, "Let us eat, drink and be merry, for tomorrow we die." Coming from the field faint and hungry Esau said to Jacob, "Feed me with pottage." And Jacob said, "Sell me thy birthright." And Esau said, "I am at the point to die and what profit shall this birthright do to me?"

In many ways Esau was a likeable character. He was the kind of man we would call today a "jolly good fellow." He was no doubt popular among his companions. He was frank and generous and in this respect stands out in striking and favorable contrast with his cunning and double-dealing brother Jacob.

And yet, with all his good qualities, he had one weakness which spoiled his whole life and which has made his name a by-word in all succeeding generations. He was the mere play-

thing of his animal passions. He could not see an inch beyond the present. He was ready at any time to part with everything he had to gratify the appetite of the moment. He lacked self-control. He could not pass up a present pleasure for the sake of a future good.

You pity Esau. "How stupid he was," you say, "to sell his birthright for a mess of pottage." And yet how many times you have done exactly the same thing. Every time you sacrifice a higher for a lower good you are repeating Esau's stupid blunder.

Here is a temptation against which we all need to be on our guard, the temptation to forget the greater good in our desire to possess some lesser good. Many a life has been spoiled by yielding to this temptation. Many a man has wrecked his life simply, because he never learned how to estimate things at their true worth.

The man who weakly yields to every impulse of the moment will find sooner or later that he has sold his birthright at a cheap price. Remember the present is not everything. Do not sacrifice tomorrow's good for the sake of today's trifles.

(Copyright, 1925, by John R. Gunn.)

RIGHT HERE IN INDIANA

By GAYLORD NELSON

DELAY IN PUBLIC IMPROVEMENTS

WILLIAM BOSSON, Indianapolis city attorney, has filed suit on behalf of the city to compel Marion County to pay \$194,856.74 claimed to be due the city in connection with the building of the Kentucky Ave. and Oliver Ave. bridges. Which marks another step in the city-county squabble over this particular flood prevention project.

A week ago the city board of works approved another flood prevention project—a \$2,000,000 improvement—without consulting county officials. Immediately county dignitaries exploded violently and war talk became sanguinary. That quieted down then city councilmen became ruffled over the question of a bond issue for the work.

That project must be started before south side track elevation can proceed.

No one denies that the track elevation and flood prevention projects are necessary and desirable public improvements, which should be undertaken at the earliest possible moment. Nevertheless councilmen obstruct it; city and county fight over it; the whole program is jeopardized and delayed.

For a year the Indianapolis school board has been developing plans for a new Shortridge High School. The acute need for the building is generally recognized.

At last the board is ready to go ahead with this vitally needed addition to the school system. The site is designated; plans for the structure have been drawn; a \$1,200,000 bond issue to finance the project voted. Apparently everybody is satisfied.

Then the Indiana Taxpayers' Association file a remonstrance against the bond issue and the building program is tied in a knot. It faces a fight and indefinite delay.

So it goes with all our proposed public improvements. Opposition, wrangles and delay—no matter how meritorious the project they may have to run a gauntlet that may tear them limb from limb. Is that the way to make good the "no mean city"?

MORE CASES APPEALED

ATTORNEY GENERAL GILLOM, in his annual report just completed, calls attention to the fact that between Jan. 1 and Oct. 1, 1925, criminal cases appealed to the Indiana Supreme and Appellate Courts numbered 147.

In the entire year of 1918 there were only twenty-four such appeals. An increase of 600 per cent in appeals in criminal cases in eight years.

If that tendency continues it won't be long before the lower courts might just as well be abolished, with considerable saving to the taxpayers, and all cases be started and finished in the Supreme Court. Apparently they will all reach that destination eventually.

Does anybody believe that there

is a real necessity but find all available funds have been appropriated. Try Mr. Fixit again in the next administration.

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your attention to what I consider a

very dangerous place. The sidewalk

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Harry Stevens of the improved

streets department will investi-

gate.

POOR GIRL.

A car every twelve minutes is

the Alabama St. line schedule,

James P. Trotton, Indianapolis

Street Railway superintendent,

told Mr. Fixit. He said travel on

this line is lighter than most

other cars.

MURDER JUST A MISDEMEANOR

EDWARD PRATER, 16-year-old bandit, who slew an Indianapolis street car conductor last winter during a holdup that netted the boy and his companion less than \$5, pleaded guilty to manslaughter in court at Noblesville Monday. He was sentenced to two years in the State Reformatory.

That's getting away nicely with murder—or at least reducing it to the level of a misdemeanor. The punishment is almost as severe as if the youth had disregarded a stop sign, parked on the wrong side of the street, or committed some similar serious offense.

Perkins a two-year sentence suf-

ciently vindicated the majesty of the law in this particular case.

All the boy did was to shoot down in cold blood, with a stolen gun, a man who inconsiderately resisted the holdup.

However, in the same courtroom where Prater drew two years, D. C. Stephenson a couple of weeks ago was convicted and drew a life sentence in State prison for the death of Madge Oberholzer. The verdict and sentence in that case were generally approved by decent people.

Madge Oberholzer and the street car conductor both lost their lives as the result of criminal violence. There were no extenuating circumstances in either case. If justice demands life imprisonment in one case why is it satisfied with two years in the other?

Murder is murder, whether com-

mitted by a political dictator or a boy bandit who has graduated from poolrooms to a criminal ca-

reer.

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