

# The Indianapolis Times

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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.

## Justice

**N**O better demonstration of the weakness of human justice and of the element of chance contained even in trial by jury can be had than the story of John Thomas Shaw.

In November, 1923, Mrs. Helen Hager Whelchel, a young Indianapolis widow, was kidnapped and her body was thrown from a high railroad bridge west of the city. Shaw was arrested a few days afterward and almost immediately placed on trial. The jury found him guilty and recommended the death penalty.

Shaw appealed to the Supreme Court of the State. The Supreme Court held that there had been a mistrial in Marion County and a new trial was ordered. Less than a year ago Shaw was tried a second time before a jury in Martinsville. The jury disagreed.

Last week he was tried for a third time, again before a Martinsville jury. The twelve men deliberated a little more than an hour and returned a verdict of not guilty. Shaw, who had been behind the bars for more than two years, became a free man.

The evidence was substantially the same in each trial.

## Who Pays Federal Taxes?

**S**ENATOR SMOOT, chairman of the Finance Committee, says nobody wants to pay taxes, and every one thinks he pays them all. Which raises an interesting question: Who will pay the taxes, finally, under the bill Smoot's committee has reported to the Senate?

Well, for one thing, only two out of every 115 persons in the country will contribute directly to the Treasury in income tax payments. The other 113 will pay in some other way.

The Government will collect, from income taxes, some \$1,681,000,000, should the Senate bill become law. About 2,000,000 persons will pay it. Rich men, with surtax rates cut from 40 to 20 per cent, will pay less than before.

This amount is less than half of what the Government will spend during the next fiscal year. Something like \$1,813,000,000 will come from other sources.

About \$550,000,000, for instance, will come from the highly protective tariff. There's no secret about who will pay this. The consumer will—rich and poor alike, but mostly poor, for there are more poor people. The more dependent the consumer has, the more he'll pay. His payments won't stop with the \$550,000,000, either. By the time the final burden of the tax has reached him, he will pay, perhaps, four or five times that, through multiplication of profits in turnover. The consumer thus will pay around \$2,500,000,000 because of the tariff. The Government will get 20 per cent of it, and protected interests will get most of the rest.

Miscellaneous internal taxes—taxes on tobacco, autos, etc., will contribute perhaps \$850,000,000 more. These are widely scattered taxes, which all pay.

The main thing to remember is that the income tax henceforth will be paid by comparatively few citizens, and that the rich will pay relatively less.

Many believe this emancipation of the income tax is unwise, and that it opens the door to indirect taxes, which are apt to take much more from the person who finally pays them than the Government gets. Also, these indirect taxes violate the principle that those who have an excess of wealth should contribute relatively more to the expense of Government than those of small means, because the ultimate consumer pays.

Also, many believe that it is a mistake to cut surtax rates, which have tended to reduce large accumulations of capital, and spread them among the whole people.

Don't think, Mr. Average Citizen, that by some magic hocus-pocus you're to be relieved of helping keep up the Federal Government through the new tax bill. You'll pay all right. You'll pay more eventually than you are paying under the present tax law.

## Shipment of Coal

You can get an answer to any question of fact or information by writing to the Indianapolis Times Washington Bureau, 1325 New York Ave., Washington, D. C. Enclosing only one stamp for reply. Medical, legal and marital advice cannot be given nor can extended research be undertaken. All other questions will receive a personal reply. Unsolicited requests cannot be answered. All letters are confidential.

What is the proportion of imports to exports of coal in the United States?

The latest figures available are for the eleven months period ending Nov. 30, 1925. Exports—Anthracite, 2,833,264 tons; bituminous, 14,193,064 tons. Imports—Anthracite, 155,390 tons; bituminous, 476,848 tons.

Are there many cities in Maryland with a population over 100,000?

Baltimore is the only one.

How does the railroad mileage of the United States compare with that of China?

The railroad mileage of the United States is given as 262,482 miles and that of China, 7,520 miles.

What is the distance between stakes in the game of quoits? Eighteen yards.

Is the cost of food in the United States decreasing or increasing? The Retail Food Index issued by

## Jujitsu Diplomacy

**T**HE sudden death of the able Viscount Take-akira Kato, premier of Japan, makes it necessary for that empire to swap over to another horse in the middle of a stream.

Japan's foreign policy is undergoing an important change of front, principally as a result of Viscount Kato's own experience. Thus, while no radical change is likely to come because of his passing, the gods would have been kinder had they allowed him to carry on a while longer.

Viscount Kato—then a baron—was largely behind the hold-up of China in 1915. While the western world was busy killing each other on the battlefields of Europe, Japan thrust her infamous "twenty-one demands" into the hands of President Tuan and ordered him to sign or take the consequences.

Had Tuan done so, China would have become Japan's vassal. But he refused to sign. Also he refused to keep silent, as he was commanded to do. Managing to attract attention to what was going on, the Japanese hi-jackers fled the scene. The whole world was indignant and Japan lost prestige everywhere. In China her goods were boycotted and bitter hatred flamed throughout the country.

But too much blame must not be attached to Viscount Kato, or Japan, for this incident, high-handed though it was. Britain, France, Russia, Germany—all had come by possession in some such way as this, and if they could get away with it, why not Japan? Germany, particularly, had been Japan's model and Germany, at that very moment, seemed on the point of successfully annexing half the western world by force of arms.

It was Germany's failure in Europe plus his own fiasco in China that caused Viscount Kato to see things in a different light. There are times for soft soap and times for the big stick. Peaceful penetration often beats force. So the man who once tried to grab China at the point of a gun now began a brand-new tack—to win her over by spreading the old apple-sauce.

Today Japan is leaving no stone unturned to make China believe she has only one real friend on earth to turn to, that friend being Japan.

Jujitsu is the art of throwing the other fellow off his balance by a sudden shifting of position and getting a hold. It can be practiced with the mind as well as with the body—as the late Premier Kato demonstrated.

## Muscle Shoals

What it cost: \$150,000,000.  
Best offer: \$1,527,513 cash, \$219,964,954 promised in 100 years.

What it will do: Will ultimately generate about 840,000 horsepower, enough power to manufacture every year more than \$3,440,000,000 in hats, shoes, shirts, etc.

Worth to Nation: Will prove that private power interests are milking the people each year of more than \$1,500,000,000 in overcharges for electricity. The private companies generate about 38,413,240,163 kilowatt hours a year. Muscle Shoals will prove they charge from 3 to 10 cents too much per kilowatt hour. The private power interests, by getting Muscle Shoals, will eliminate the Government from any direct control over the Tennessee River system, a system capable of generating enough power to supply one-sixth of all the industries in the country today. The entire river will eventually generate close to 5,000,000 horse-power.

Worth to interests: The Bureau of Labor Statistics of the United States Department of Labor shows for Dec. 15, 1925, a decrease of 1 per cent since Nov. 15, 1925; an increase of over 9 per cent since Dec. 15, 1924; and an increase of about 59.3 per cent since Nov. 15, 1913.

Is the Secretary of State for New York a woman? Yes, Florence E. S. Knapp (Republican) of Albany, N. Y.

Who composed the song "After the Ball," and when? Charles K. Harris in 1892.

What was the Peace of Tilsit? A treaty signed at Tilsit, Prussia, July 7, 1807, between Alexander I and Napoleon Bonaparte. By this treaty, Prussia was stripped of fully one-half of her dominions.

# The Prodigal Son Did Have a Gay Time; Great Melodrama Is 'Three Faces East'

By Walter D. Hickman

**I**F the Charleston had existed in the days when the prodigal son in the Bible story went forth to sow his wild oats, it is a safe guess that the palace which housed a certain siren would have tumbled down.

The son in question had a wild time of it, even without the Charleston, because he had the right address when he visited the big city. The prodigal son is to be found this week in a lengthy movie called "The Wanderer," a Paramount picture. The story of the prodigal son yields itself easily to the screen, because the director has a chance to go wild, and wild he has gone in filming this picture. There are goings-on in "The Wanderer," which is accepted only in certain stories of the Bible or on the classical stage. Kindly remember that "The Wanderer" is entertainment. It is not Bible. An entertainment, and only as such, will I consider it.

"The Wanderer" has been filmed with as little clothes in some scenes as one would expect to see in any modern revue.

We all know that the prodigal son sowed bushels of wild oats while in a wicked city. And such sowing is filmed with dramatic ease, but at a large expense.

It cost many fortunes to film the sex wanderings of the prodigal son in "The Wanderer." If the son actually had such a gay time in real life, then the world is getting better. No doubt about it.

But I am considering, or trying to, considers, this picture as entertainment. It has been costly and carefully presented. It has atmosphere. It has passion, heat, romance and probably a lesson that home sweet home is a mighty good place to be, especially when a fellow is broke.

And what a cast. We have Ernest Torrence as the Evil One, the guy who must have put the system of the hellboys splitting their tips with the head bellboy. But Ernest does get his share of the profits when he steers easy fish into a certain place.

Then we have Wallace Beery in just a bit, that of a wealthy man who has more money than brains. He, too, had the right address.

Also Tyrone Power as the father of the prodigal son. Here we have sincere and wonderful character work. Also we have Kathryn Williams as the mother of the prodigal son. And as the prodigal son we have that good looking edition of the Collier family, known as William Collier Jr.

"The Wanderer" is a massive picture and it is sure wild in places. Greta Nissen is the "gal" who does the hot vamping and I am not saying maybe.

"The Wanderer" is a Follies edition of the version of an ancient story.

It will play to crowded houses. The orchestra is playing an impressive orchestra score this week. Very fine.

At the Ohio all week.

"DON'T" GETS REAL LAUGHS AT APOLLO

Although slightly artificial in spots, especially the start, "Don't," the feature at the Apollo this week, is a real laugh producing comedy.

It is a story of the modern girl with a very stern and rigorous father who cannot get her angle on life as she sees it in the twentieth century.

His motto, and he has forced it on his household, is "Don't." Of course the usual thing happens when the girl falls in love with a certain young man and the father is insistent upon her marrying the husband to be of his choice.

Sally O'Neill, as the young flapper who rebels against her father, carries the role with an ease that marks her for better things to come. She is a new face among the many on the screen and am sure from this picture that it will not be long before she is seen again.

John Patrick plays the romantic lead for Miss O'Neill, and makes a very good showing, although there is not much to the part.

The comedy hits of the picture, however, go to Bert Roach and a tiny little girl, Helen Hoge, who cannot be more than 6 or 7. Roach is in the part of the good-natured uncle, who has a faint idea that prohibition has started, but does not know where it is.

Helen Hoge characterizes a little Belgian orphan whom the uncle has adopted. These two are a riot all through the picture. You will laugh so much at them in the amusement park that your sides will be giving away the plot.

On the program are Henderson and Weber, the "Harmony Boys"; Earl Gordon, organ soloist, and Emil Sekdel and his orchestra.

Bill includes Fox News and comedy.

At the Apollo all week. (By the Observer.)

## Movie Verdict

**COLONIAL**—"Three Faces East" is the best melodrama ever filmed. A positive sensation. Wonderful theater.

**CIRCLE**—Lewis Stone turns out to be an every suit comedian instead of a dress suit dandy in "Too Much Money." Keep this man in light comedies for a while.

**APOLLO**—In "Don't," Sally O'Neill, a newcomer to the screen, has a merry vehicle. Real fun.

**OHIO**—What might be called a Follies edition or version of a Bible story is revealed in "The Wanderer." It is lavish entertainment.

ing that my conversation would have been brutal, but frank. It is peopled with a cast of interesting names, such as Jett Goudal, Robert Ames, Henry B. Walthall and Olive Brook.

And for the first time am I ready to admit that Jett Goudal is a gifted actress. She certainly walks away with all the honors and in fact of great acting cast.

Mystery melodrama is her real place, no doubt about that. She can vamp, fight, struggle and make love only to have the guy hit on the head, or even shot.

From a scenic standpoint this picture is a wonder. In one big scene we see a German air fleet, a mighty one moving with murderous intent toward London. Then suddenly the English anti-aircraft guns open fire and invading air fleet burns and drops without harm near London.

To my way of thinking this is one of the biggest melodramatic tricks ever pulled before the eyes of the camera. It is a great big fine dramatic accomplishment. This one scene would be enough to make this picture a sensation of the city.

Of course, "Three Faces East" is a corking good dramatic story. It opens with scenes in the Kaiser's court at Berlin when the old boy was supposed to be a somebody on the throne.

And you will not mind the war scenes, because the few at the beginning of the story only pave the way for the melodramatic action of the story.

And you will love to see Henry B. Walthall again. Why isn't this man a sensation? I don't know. He knows how to act. Guess he is like many others, needs the right vehicle. Am going to urge you to see

eration of today—the second anniversary of Bakaleinikoff.

You will find the orchestra on the stage. The result is so striking that applause starts the second the curtains part. The conductor's stand is vacant. The conductor appears, and here is the test of appreciation. The applause on his entrance shows his big victory here.

The orchestra then starts playing Bakaleinikoff's own overture, which he is calling this week his "Anniversary Overture." Here you will find rich and yet modern tonal pictures, with a movement or background which invites memories of standard overtures. I mean that this overture has a grand and impressive sweep. A melodious something strikes here and there. It tells its own message—the message of work and toil which creates victory.

Then Bakaleinikoff's violinello is brought on the stage. He begins playing with Mr. Resener conducting the string portion of the orchestra while Bakaleinikoff plays his own solo composition.

Then this persuasive melody invites a fireworks climax and he gives it to us by directing the orchestra through the third unit of his own composition, "A Symphony-Jazz Fox Trot." Again we see with what success the skill of this conductor and his orchestra may do with tickle-toe music.

A marvelous success, Mr. Bakaleinikoff and every member of the orchestra. To be heard all week at the Circle.

Bauer and Casals

Yesterday afternoon Ona T. Talbot presented at the Murat two recognized artists in a joint recital—

United Effort

By this United effort on the part of Bakaleinikoff, Edward Resener, associate conductor, and every member of the orchestra, the Circle patrons may look back upon two years of musical achievement and as well look into the future with a sense of security.

The one big factor in the progress of this orchestra under the direction of Bakaleinikoff has been the ability of the entire organization to function along many lines.

The first of these has been the overture—both classical and popular numbers have been played. In a movie theater it is necessary to mix the classics with popular music and it is no disgrace, it is a compliment for general entertainment.

We have heard this orchestra play even Charleston music with its natural swing with enjoyment. This is what is called symphonic-jazz.

Then we have had the musical overtures accompanied by movies, showing the life sufferings and victories as well as the defeats of the big masters.

Tone pictures have been created with such telling skill under the control of Bakaleinikoff that many a movie has been increased in artistic worth as well as entertaining value by the musical score.

His Triumph

Bakaleinikoff excels in this line—the blending of a musical score with the action of the picture, even the news reel. It represents hours of careful work and study. Work done in the theater study. And yet, while this man is studying and arranging scores while seeing advance pictures, the orchestra must be busy in the pit. Today and tomorrow must work side by side.

And this brings us to the consid-

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# RIGHT HERE IN INDIANA

By GAYLORD NELSON

## BE FRIENDLY TO THE COP

**C**LAUDE JOHNSON, Indianapolis police chief, urges the respectable peaceful people of the community—the good citizens—to a friendly attitude toward the rank and file of the police department. Get acquainted, and be friendly, with the "cop" on your beat, is his plea.

He thinks that would improve the department's morale. Perhaps it would. Certainly it would offset somewhat the over-friendliness shown individual "cops" by "blind tigers," proprietors of shady poolrooms and people of that sort, by showing the "cop" good people appreciate him and his efforts to protect them.

But don't follow the chief's advice too enthusiastically. If you are a man, you won't improve the police department's morale noticeably by throwing your arms around a downtown traffic cop and kissing him affectionately. Not in broad daylight, at least.

On the whole probably police department morale can be improved better from within than from without.

If every member of the force knew that his standing in the department depended exclusively on his record for efficiency and devotion to duty, and promotion would be won solely on merit, not on political favor, the department's morale would be more improved than it would be by a friendly citizen buying the "cop" on his beat an all-day sucker.

## RADIO ON THE FARM

**O**NE out of every twenty-two Indiana farmers owns a radio set, and one out of every eight owns a tractor, reports the United States Department of Commerce. Therefore, according to the statistical gents at Washington, Hoosier agriculturists must be prospering.

No doubt the radio set is fast supplanting the mortgage in popularity as an agricultural implement—and the time may not be far distant when every rural home is so equipped. But that neither groves nor disproves agricultural prosperity.

Whenever a farmer buys a fiver, a tractor, installs in his home a telephone, a radio set or a

bathtub, it is pointed out as evidence of his prosperity. But the city fellow, whatever his financial standing, is expected to have all these comforts and conveniences as a matter of course. No one argues that he is prosperous just because he possesses such things.

It is not surprising that radio has gone down on the farm and that farm homes now have loud speakers in the parlor as well as the kitchen.

The farmers took to the automobile and the Ford as a duck to water. He has adopted and uses other inventions and devices that lighten work or contribute to comfort and enjoyment, even though they strain the purse. Why shouldn't he have radio?

The farmer is not a strange type of fauna. He is quite human, like the city man. He buys things because he wants them, and when he wants them, not because he has a sudden surplus of money to spend.

On casual glance there does not seem to be more law observance in town today than there was yesterday or Saturday. And about the same number of speeders, traffic violators, brigands, filling station bandits and other law breakers performed yesterday as on ordinary Sundays.

No doubt the growing disregard for law is alarming. It isn't just one law—prohibition—that is not being properly observed. It is the whole code from murder down to the parking ordinance.

Designating a special Law Observance Sunday devoted exclusively to upholding the dry law by special services in churches and similar places won't remedy the situation. The sort of people most in need of conversion to greater respect for law aren't present at those meetings. They are out murdering, robbing or otherwise harrasing their fellow citizens without much fear of legal consequences.

What is needed to arouse the public conscience to law observance is more law enforcement. Six days in the week by courts and juries—and not so much emphasis on Law Observance Sunday and public mass meetings.

HEADS OR TAILS

**J**OHN THOMAS SHAW, Indianapolis negro, charged with the murder of Mrs. Whelchel, a young widow of Indianapolis, was acquitted by a jury in Martinsville Saturday. So, after three trials and two years' confinement, he walks out of jail a free man.

At his first trial in Marion County twelve good men and true heard the evidence, largely circumstantial, and after a short deliberation returned a verdict of guilty and the death penalty was imposed. On appeal the Supreme Court ordered a new trial, holding the trial judge had erred in not granting the defendant's petition for a change of venue.

Six months ago the second trial was held in Martinsville. Twelve good men and true of Morgan County listened to the same witnesses and the same evidence that conclusively proved the defendant's guilt