

## Home Edition

THOUSANDS Laugh Daily at Salesman Sam's Antics on The Times Comic Page—Join Them.

VOLUME 37—NUMBER 285

## PROTEST ON LIQUOR WRIT RULE MADE

Deputy Attorney General Tells Prosecutor Remy Dry Law Can Not Be Consistently Enforced in Marion County.

The prohibition law can not be enforced consistently in Marion County, complained Joe Rand Beckett, deputy attorney general, in a conference today with Prosecutor William H. Remy relative to a ruling on an affidavit for a search warrant made by Special Criminal Judge Fred McCallister Tuesday afternoon. Remy said he would take the matter up with Judge James A. Collins and recommend that Judge Collins and the municipal court judges come to an understanding as to when a search warrant and its affidavit is valid.

**Conferred With Collins**  
Immediately after the trial Tuesday Beckett conferred with Judge Collins. Several months ago Judge Collins submitted his final ruling which he said would govern all liquor cases tried in his court when the question as to the validity of a search warrant was raised. It is believed Judge Collins may ask that a ruling be observed while appeals from municipal courts are made by special judges.

**Credit**  
Eisenhut said a neighbor complained to him about Lizar's residence and he obtained a warrant from the court of Justice of Peace Henry H. Spiller in Haughville.

A police officer has no right to search a home with a search warrant obtained on the mere hearsay of a neighbor that liquor is kept there, Judge Fred McCallister ruled Tuesday, when he sustained a motion to quash the affidavit for a search warrant used by Sergt. John R. Eisenhut to enter the home of Frank Lizar, 934 Haugh St.

### Not on Hearsay

"You can't search a premises on hearsay evidence," said the court. "There has been no showing here of probable cause."

"If that's the case, it makes it impossible to enforce the law," replied Beckett, deputy general. The judge ruled that the person knowing of the law violation should himself swear out an affidavit for arrest. Eisenhut said he found about 200 gallons of wine in the home. In municipal court from which Lizar appealed, he was fined \$100 and sentenced thirty days on the Indiana State Farm.

## SUGAR CUT HELD UP BY COOLIDGE

Senate Finds President Pigeonholed Report.

**By United Press**  
WASHINGTON, March 31.—The United States tariff commission recommended reduction in the sugar tariff report it submitted to President Coolidge, July 31, 1924, which the President pigeon-holed, it was revealed today when the report was submitted to the Senate Tariff Investigating Committee under a subcommittee.

The reduction recommended it is reduced from \$2.56 to \$1.54 per hundred pounds. The President declined to authorize the reduction and none has been made.

## LUKE W. DUFFY IS CANDIDATE

Run for Marion-Johnson County Representative.

Luke W. Duffy, 2929 Washington Blvd., today announced he would file notice of candidacy for the Republican nomination for joint representative of Johnson and Marion Counties.

Duffy, who for years has taken an interest in agricultural problems, was a State Representative in 1917, a State Senator in 1919, and a Representative again in 1923. He was one of the Indiana delegates named by Governor Jackson to the recent agricultural conference at Des Moines, Iowa. He favored a greater tax exemption on property, and said, "I would introduce a bill to some owners higher taxation."

### DIS AVERTED

From Turnover vote.

Premier British party has been forced to resign from the Socialist party. Deputies to the House of Commons are a part of the party.

# The Indianapolis Times

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## Mystery Grips Gotham Trip



## BELL MAY NOT ACCEPT RATE BOOST

Company Must Deposit Fee of \$122,337 Today to Put Increases Granted by Public Service Commission Into Effect Thursday.

Piqued by their failure to secure larger rates increases, Indiana Bell Telephone Company officials may not put into effect at midnight increased telephone service rates in forty-four Indiana cities granted Monday by the public service commission.

A possibility of delay in making the higher rates effective arose today in the company's failure to pay \$122,337.65 fee to the commission for executing the rate order.

Company officials and attorneys were silent on whether the fee would be paid before 5 p.m. last minute for complying with the law, so the increase may be put in effect Thursday.

### Appeal

Meantime, public service commissioners were apprehensive their power to control utility rates again will be tested in the courts, where they have consistently lost cases in the past.

If the company is dissatisfied with the rate increase order providing it with only a 6 per cent return, when it requested rates to yield a minimum 7 per cent return, it may appeal to Marion County courts for an injunction against enforcement of the rate order.

The commission might attempt to enforce the rates ordered and sue for the fee, because the law provides, according to Commission Secretary Howell Ellis, that a petitioning utility shoulders the costs of an investigation such as resulted in the rate order. Under this law, it was pointed out, the fee could be collected.

### Hanging Fire

J. G. Halstead, chief appraisal engineer of the Bell firm, said: "It's still hanging fire," when asked if the company would pay the fee.

The fee of \$122,337.65 represents expenses incurred by the commission since April 25, 1925, in conducting the inventory of Bell property in Indiana. The law putting the cost of public service commission investigations on utilities became effective April 25.

There were a few snow flurries shortly after noon.

The thermometer, which registered 48 at 6 a.m., showed a mark of 31 at 1 p.m. The mercury should go down to about 28 tonight, weather bureau officials said.

Tuesday night the city was visited by rain, which totaled seventy-eight hundredths of an inch, but the main portion of a storm which holds the Middle West missed Indianapolis.

**Phone Wires Down**

William H. Thompson of Miller, Dailey and Thompson, attorneys for the Bell firm and in charge of the company's relations with the commission, declined to be quoted on whether the deposit will be made.

No estimate of damage could be made.

No other telephone wires in Indiana were affected, it was said.

The Postal Telegraph Company reported wires down between Monon and Chicago and between Dayton and Columbus.

Western Union wires have not been blown down to any great extent except in a section south of Chicago, the wire chief said today.

Thirty poles down between Shelbyville and Greensburg tied up the traction line until late this afternoon.

### Stacks Out of Line

Several smoke stacks in Indianapolis were blown out of line.

The high winds of the day brought trouble to City Smoke Inspector Joseph C. Buchanan, when two

### (Turn to Page 2)

Final legal barrier to completion of the new Negro high school at Twelfth and West Sts., now known as the Crispus Attucks school, was removed today when State Supreme Court denied Archie Greathouse, Negro, an injunction against the Indianapolis school board.

Greathouse brought suit two years ago to stop construction alleging it was a move toward race segregation. Superior Court sustained a demurrer brought by school board attorneys on the ground of insufficient facts.

Greathouse's attorneys then appealed the case to Appellate Court, where oral arguments were heard some weeks ago. Appellate Court, unable to agree on the case, transferred it to the Supreme Court, where arguments were heard again. In the opinion, written by Judge Benjamin Willoughby, and concurred in by other judges, action in sustaining the demurrer was upheld. The building, now under construction, will cost about \$150,000. It originally was known as the Thomas Jefferson School.

A United Press poll reveals a pos-

sible strength of fifty votes to refer the matter to the Finance Committee—a sidetrack on which it would mean indefinite postponement of the \$2,045,000 Italian debt set-

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