

PUBLISHER WILL CARRY APPEAL TO HIGHEST COURT

Muncie Man to Allege Indiana Tribunal Erred in Denying Revision.

Attorneys for George R. Dale, publisher of the Muncie (Ind.) Post-Democrat, who faces a six-months sentence at the Indiana State Farm for contempt of court, will carry an appeal to the United States Supreme Court, it was learned today.

On the ground of free speech, Dale's appeal to the nation's highest tribunal will allege that the Indiana Supreme Court erred when it recently denied his petition to revise his assignment of errors against the Delaware Circuit Court, which pronounced the sentence.

In his original appeal Dale neglected to include the doctrine of free speech in his bill of exceptions. This question not being raised, the Indiana Supreme Court was unable to consider that phase of the appeal. For other reasons the appeal was denied.

Dale then asked a rehearing and it, also, was denied. He finally asked the court to delay its order of commitment to the Delaware court and permit him to amend the assignment of errors so the question of constitutional privilege could be raised. The court's denial of this petition paved the way for an appeal to the United States Supreme Court.

Assailed Klan

Two years ago, when the Ku-Klux Klan was in its heyday in Indiana, Dale was drawn into its first brush with the hooded order. Responding through the medium of his periodical, Dale not only assailed the Klan but generously criticized the Delaware County grand jury and the circuit judge, Clarence W. Dearth. He was cited for direct contempt of court and fined \$500 and costs, to which was added a six-month sentence at the penal farm. Dale, as author of his legal answer to the indictment, repeated many of the vitriolic statements he had published about the court and grand jury and forthwith was cited for indirect contempt, receiving a similar penalty for the second offense. Indiana Supreme Court a short time ago reversed the indirect contempt finding but sustained the charge of direct contempt.

H. T. D. A. LEADER URGES 'RESPECT'

Detectives 'Laughing Stock,' Declares Davis.

A plea that the local courts "show greater respect" for Horse Thief Detectives Association members, who, if given a chance will help eliminate the crime situation in Marion County, was made today by Orin E. Davis, association president. Davis was defeated in the primary for the Republican nomination for sheriff. Davis said that his men who take law violators in court are ridiculed and told they have no right to make an arrest or to carry concealed weapons.

"Because they have been made laughing stock of the courts, members of the organization don't feel like enforcing the law in the future as they have in the past," said Davis.

Davis pointed out that A. C. Fad, whose auto Gene Alger, slayer of Trafficman John Buchanan, Negro, is alleged to have attempted to steal, is a member. Fad took the gunman to a traffic officer.

STORE EMPLOYEES PICNIC

Pettis Dry Goods Company Outing Held at Broad Ripple.

Pettis Dry Goods Company employees held at picnic at Broad Ripple this afternoon and evening at Broad Ripple Park. Various contests and races marked the afternoon program. More than twenty-five prizes were awarded. Harry R. Stout was general chairman of the affair and William Steward, Jr., was program committee chairman.

FIRM FILES PAPERS

Indiana Savings and Loan Association Incorporates.

Incorporation papers for the Indiana Savings and Loan Association No. 7, of Indianapolis, were filed today at the Statehouse, listing capital stock as \$300,000. Incorporators are Samuel Rubens, Pete Lawrence, H. A. Weber, Samuel Cohen, Max Rutenberg, Jacob Buennagel, Harry Farber, Harry Miller, John P. Fritz and Wolf Sussman.

Notice was filed by the Taylor Carpet Company, also of Indianapolis, that its preferred stock has been increased from \$150,000 to \$250,000.

BELL PURCHASE O. K.

Commission Approves Buying of Firm's Stock Issue.

Public service commission approval was given today to purchase by the Indiana Bell Telephone Company of a \$250,000 common stock issue of the Merchants' Mutual Telephone Company of Michigan City.

Approval of the purchase was made less than twenty-four hours following the filing of the petition. The Bell company owns the controlling interest in the Michigan City company.

WOULD ABANDON STATION

Abandonment of the Baltimore & Ohio railroad station at the village of Dabney, in Ripley County, is sought in a petition filed with the public service commission today.

Brief but Severe Wind and Electrical Storm Causes Heavy Property Damage



A tree in the 1000 block N. Delaware St. torn down by the storm Friday night. City workers are shown clearing away the branches which nearly blocked traffic.

'GOOD BOY' PARENTS OF BANDIT SAY

Slaying of Officer by Son a 'Dark Dream,' Declares Mother.

By Eldora Field

How can a good boy—studious, obedient, gentle—become in the twinkling of an eye, a bandit, a criminal, attempting daylight robbery, trying a get-away with all the boldness of an experienced desperado, finally "snuffing out" human life that barred his way to freedom? "How can this be possible?" ask the stricken parents of Gene Alger, 18, who fatally shot Patrolman John Buchanan, Negro, Friday when the officer called for the boy to come forth from hiding, after an alleged attempt to steal an automobile.

City hospital doctors said that Alger had a chance to live, and the State prepared to prosecute him on a murder charge. Officers and citizen witnesses in the murder were questioned, and it is expected that they will be summoned before the grand jury.

Expect Fatal News

All through the hours of the night, the parents, Mr. and Mrs. Earl Alger, expected to hear fatal news from the city hospital where the boy, himself shot by officers in his attempt to get away, is lying in the point of death. They sat in the simply furnished rooms of their apartment-home, 1710 E. Ohio St., trying to see through the thick veil of mystery that it seems to them has closed about their boy's life, his thoughts.

The youth was shot after he had murdered Buchanan, who discovered him hiding in a closet at the Beyer House hotel, 225 N. Capitol Ave. Alger had taken refuge there following his escape from two other officers who had arrested him at Ohio St. and Capitol Ave. on an auto theft charge.

Police said the youth, in a signed statement, admitted that he tried to steal the auto and that he shot Buchanan.

"Why, I told the officers, it was impossible—the boy simply couldn't have done that thing, that he didn't even know how to handle a gun," the father said. "He's a good boy, a 'good boy' as he is called."

"Oh this can't be true, it's a hideous dark dream," the mother wailed. "Why Gene has always been the best of boys. Not because I'm his mother, I say this. Ask anybody who knew him—his teachers, why they'll tell you, he was good, good. Why he didn't even smoke and he loved his studies and his music and he didn't run around at night—none of those things. Oh, this just can't be!"

Loved Music

The father led the way to the boy's room. "Here's where Gene studied," he said simply. A pretty little room it is, with a fond mother's attempt to brighten her boy's surroundings, showing in the little ruffled curtains, the small decorated study lamp, the home-made stand-over. Above the single bed, with its neat white counterpane, hang banners and pennants of Tech High School, Butler and Camp Knox, Ky., where the boy once spent a summer. Lying near by, is the boy's cornet, for he was a student of music at the Metropolitan School of Music and had played in the orchestra at Butler, where he had finished his first year.

"Does this look like a bandit's room?" the father asked sorrowfully.

Son, Mother Pals

"The boy and his mother were great pals," the father said after a moment. "The boy so wanted an education and his mother wanted him to have it, so she insisted upon going to work at a cafeteria to help him. Lying near by, is the boy's arrangement. Since school let out, he's been trying to find work, and I know he'd have had her stop work if he could have found anything to do. The fact that she was working has worried him terribly."

"This horrible thing has all come from that. Never in trouble before, the realization that he was under arrest just drove him crazy with fear. He told me so at the hospital," the father said.

"Yes, that's the explanation, he just went mad with fear. Oh, nothing can explain it," the mother wailed. "Nothing. It's just a mystery—a terrible nightmare. But why should it come to a good boy?" and the parents settled into puzzled and agonized silence.

Funeral services for Buchanan will be held at 1 p. m. Monday at the Simpson A. M. E. Church, 1034 N. Missouri St. Six Negro police officers will be pallbearers. Burial will be in Crown Hill Cemetery.

Carl Schaffer, 36, of 1044 W. Thirty-sixth St., a citizen who was shot in the hip by Alger, when he

One Person Hurt—Weather Over Nation Extremely Varied.

Wreckage caused by a short but severe wind and electrical storm that struck the city Friday night was being cleared away today. Trees were blown over, wires torn down and other damage done. One person was injured.

Rain totalling 4 of an inch accompanied the wind and lightning. Hundreds of dollars' worth of damage was done. The highest wind velocity recorded by the United States weather bureau was forty-two miles an hour, but the wind assumed tornado-like proportions in parts of the city.

This evening and Sunday the weather should be fair and cooler. Meteorologist J. H. Armstrong stated. He anticipated temperature 8 to 10 degrees lower than that of Friday night.

Temperatures remain lower than usual during the day. At noon the mercury stood at 69.

Cut on Head

Ralph Vanetan, 34, of 305 Sanders St., was cut on the head and shoulders when he was thrown through the windshield of an auto at Meridian St. and the Belt Railway. The driver, Francis Agnew, 20, of 1906 Charles St., said he was blinded by the heavy rain and struck a hole, where the track was being repaired. Live wires were reported down at 318 Bicking St., 4802 Madison Ave., Tenth St. and Ashland Ave., Tenth and West Sts., Madison Ave. and Ray St., Sixteenth St. and College Ave., Tacoma Ave. and Seventeenth St., 309 N. East St., Broadway and Fifteenth St., 5621 Julian Ave., Davidson and Pratt Sts. and Illinois St. and Fall Creek Blvd.

Wind blew trees into the street at Thirty-Fifth and Meridian Sts.; 1034 N. Delaware St.; 1421 Hoyt Ave.; Fourteenth and Bellefontaine Sts., and River Ave. and Ray St. A pole was reported down at 510 Agnes St. On Fifteenth between Central and Park Aves., a young tornado blew down about a dozen large trees.

Rains General

The heavy rains were general over Indiana, with the exception of the extreme southern part. July rain in Indianapolis has been more than twice the amount that fell in June.

At Terre Haute, a storm which began with high winds and an almost continuous flash of lightning lasted until well past midnight. The rain at times approached cloudburst proportions. Telephone and light service was crippled.

Weather over the nation was varied. A heat wave that took the lives of three persons Friday continued in New York, with no promise of relief.

Pennsylvania faced the hottest day of the season.

In the mid-West, relief from the heat wave was generally reported, following heavy rains. Summer campers in the region east of Redding, Cal., were routed by a snow and sleet storm. An inch of snow remained after the storm.

HOOSIER GIRL KILLED

Tornado Wrecks Summer Cottage, Taking Life of Mexico (Ind.) Child.

DETROIT, July 10.—Michigan was recovering today from the wave of sweltering heat and fierce gales which yesterday swept the State, taking a toll of at least five lives. Three of six persons vacationing in a summer cottage near Buchanan were dead following a tornado which swooped down suddenly and demolished the house. One other may die.

Mary English, 8, of Mexico, Ind., was one of the victims. Two died in Detroit from heat prostration, while a second gale, reported to have reached sixty miles an hour, swept a path near Port Huron, leveling homes, buildings, business places and severely injuring many.

COAL BENEFITS STATE

Indiana Collects \$25,370 in Under-River Mining Royalties.

During the last two and one-half years the State has collected \$25,370.93 in royalties for coal mined from under the Wabash River, according to Conservation Director Richard Lieber. The State exacts 10 cents on each ton of coal so mined. Conservation officials estimate there are 100,000,000 tons of available coal under the Wabash.

Impeded Alger's flight, was reported improving at the Methodist hospital. Frank Whitlow, 710 Lord St., truck driver, who also impeded Alger's flight, is recovering from a scalp wound. The fleeing bandit struck him on the head.

CAL PEEVED OVER THAT FISH STORY

President's Staff Too Weary of Issuing Statements About It.

By United Press
SUMMER WHITE HOUSE, White Pine Camp, N. Y., July 10.—President Coolidge is considerably annoyed by the wild and not altogether favorable publicity given his fish story, and he is likely to withhold news of results of future fishing.

At the first press conference in the Adirondacks the President's irritation was most apparent. Answers to questions concerning the fish were blunt and sarcastic. "I cannot see the importance of such an incident," the spokesman said sharply. The spokesman went on to say, in reply to those skeptical about the weight of the fish, that in the President's opinion it was good taste to believe the other man's fish stories.

Still smarting under the embarrassment of an "about face" in their statements, the attaches were further dumfounded to learn that the fish, which was a fifteen-inch pickerel, could not weigh more than a pound and a quarter. They then announced that the fish was not a pickerel, but a pike, which could weigh three pounds and be only fifteen inches in length.

"It certainly is a pretty come-off," one of them remarked, "that the President's staff has to fuss around, issuing statements and denials about a one-foot fish."

POLICE TOLD OF THEFTS

Several Burglaries, Mostly in Homes, Are Reported.

Several burglaries were reported to police late Friday and early today. George Turner, 1525 W. Twenty-Seventh St., said jewelry and clothing valued at \$175 was taken from his home. Nell Marten, 112 E. Ohio St., Apt. 12 reported the theft of \$123.30 worth of clothing and jewelry from her home. Mrs. Mattie Hawkins, 1934 N. Capitol Ave., said burglars took \$6 from her home. French Steam Dye Works, 317 W. Maryland St., said two suits valued at \$55 were taken from one of their trucks.

While he was swimming in White River Friday, someone stole a \$110 watch from his locker at the Ravenswood bathhouse. Joseph Helms, 1031 Bates St., told police.

ACE REPORTS FOR DUTY

Instructor Takes Up Work With 113th Air Squadron.

Capt. H. Weir Cook, formerly of Anderson, Indiana's leading ace in the World War, reported today for duty as flight instructor for the 113th Observation Squadron of the Indiana National Guard. Cook, who was transferred from Langley field, will remain with the guard four years.

As a member of the famous Hat-in-the-Ring battle squadron, which was led by Capt. Eddie Rickenbacker, Cook was an outstanding pilot, winning the Distinguished Service Cross for his exploits over the German lines.

NEW REPUBLICAN CLUB

Washington Township Group Is Formed—To Be Incorporated.

The Washington Township Republican Club has been formed. The club adopted a constitution and by-laws and took steps to incorporate at a meeting last week. Officers elected were: Paul S. Dunn, president; H. A. Osborn, first vice president; Robert A. Glauke, second vice president; George E. Elter, secretary, and City Controller William C. Buser, treasurer.

REALTOR HEADS CAR PEACE BODY

(Continued From Page 1)

tendent, expected to offer 100 per cent normal service again to the public Monday, he said.

With 259 cars in service this morning, ten more than Friday, Tretton declared service to be 90 per cent normal. Officials made preparations to care for the Saturday crowd between noon and 6 p. m. Sixty-two men were hired Friday. Employment of additional workmen was cut today as only a few more workmen are needed, Tretton declared.

There was no let up of police vigilance, nearly one-third of the force being assigned exclusively to strike duty during the twenty-four hours.

A police drive, announced by Chief of Police Claude F. Johnson, against strikers and sympathizers wearing badges "I Will Walk" and displaying cards on their machines which said, "Union Men Ride Free With Me" did not materialize. Johnson threatened Friday to invoke an old ordinance prohibiting banner carrying against the public display of these badges and signs.

Addressing the strikers, Baker declared the chief was "bluffing," that the banner carrying ordinance is not on the books, having been left out in the 1925 reorganization of the city code, and that if there were going to be any arrests, he would pin a badge on his lapel and invite the police to make him the first victim.

Two Buses Shot at

Perry Larimore, 2335 N. Dearborn St., driver of a Capitol Ave. bus, said that a bullet whizzed by his head as his bus reached Kenwood Ave. and Forty-Sixth St. Four men were seen to drive hurriedly away in a large touring car.

A bullet sped past the head of Joe Cook, 5304 Lawrence St., driver of a Central Ave. bus, as he crossed Fifty-fifth St. A window was broken by the bullet.

Virgil Hughes, 19, of 1008 Oliver Ave., and Otto Maddox, 20, of 517 W. Henry St., are held on vagrancy charges under \$5,000 bonds. Sergeant Owens and squad arrested them at Nineteenth St. and Central Ave. after a chase from Twenty-First St. and Talbot Ave. Officers discovered the auto driven by Maddox after call was received at headquarters that two men were in an alley gathering up rocks. Additional charges of having no certificates of title and no license were placed against Maddox. Both men denied the charges and said they were waiting for a trial.

Several police squads failed to find any trace of men who stoned a W. Tenth St. car near the end of the line late Friday. No one was injured.

Patrolman Thomas Kegeris arrested Alvin Wonders, 435 E. Terrace Ave., and Arthur McCoy, 1532 S. Alabama St., after a crowd of men cursed street car crews on the S. Meridian St. line.

Patrolman Ben Galtier reported that a bus on which he was riding was stoned at Lyons and W. Washington Sts. No trace was found of the alleged stone hurlers.

Dynamite caps were found along the Fairview Park line, street car officials said. Crowds of men at Noble and Ohio Sts. dispersed before the arrival of police.

Action in Court

The legal controversy in the street car strike was carried again to Federal Court Friday afternoon when attorneys for the Amalgamated Association of Street and Electric Railway Employees of America, filed an answer to the bill of complaint on which a preliminary injunction was issued a week ago by Judge Robert C. Baltzell.

The answer charged signatures of employees on alleged company contracts, "in many instances were obtained by fraud and misrepresentation," and that the execution of the contract has been denied by more than 500 company employees.

Robert Armstrong and John M. Parker, vice presidents of the association, are prevented by the injunction from influencing the company employees to strike. The answer asks dismissal of the bill of complaint.

Jurisdiction of the Federal Court in the case was challenged, when it was pointed out that the street railway company has a right and should appeal to the State Courts.

Threats Charged

The answer charged that the street railway "by threats and intimidation" has secured the signatures of employees on affidavits admitting signing the contracts when such was not the case.

Officials of the union came to Indianapolis "at the invitation and request" of street car company employees, who asked that a legal union be organized and not to enter into a conspiracy to prevent the men from working, it was said.

Filing of the answer, was expected to pave the way for further investigation of the situation by the Federal Department of Justice. Several days ago district attorneys indicated two organizers would be slated for contempt-of-court for disobeying the injunction, but no action has been taken.

The investigation was begun after the street car company presented affidavits to District Attorney Albert Ward. Ward indicated allegations of the answer will be investigated.

Ward said he knew nothing of reports a special session of the grand

jury would be called to consider the strike situation.

When asked if he would call such a session, Ward said he had nothing to say.

FIRE GUN AS 'SCARE'

Judge Discharges Man After Explanation Is Given.

Because Goebel Brinson, 1310 1/2 Oliver Ave., fired his revolver "just to scare a gang," he was found not guilty to a charge of assault with felonious intent today, by Special Judge Charles S. Wiltzie in Criminal Court. Brinson admitted he fired twice at the sidewalk when he feared a gang of men would attack him.

However, George Bane, 931 Chase St., declared Brinson pointed the revolver at a member of the gang and fired. "You aren't the only one who has one of these," Brinson admitted he said before he discharged the weapon. He said he was taking the revolver to a friend.

YOUNG DANCER WINS

Charleston, Bathing Beauty Contests at Rhodius Park.

Practice early in life won the Charleston contest at Rhodius Park for Bobby Thomas, 8-year-old son of Mr. and Mrs. Ralph E. Thomas, 1842 Lambert St., Friday night.

Miss June Wiegand, 24 N. Richmond Ave., was victor in the bathing beauty competition and Luther Flore won the sixty-year free style swimming race. Rhodius defeated McClure beach, 3 to 2, in water polo.

Lizards are earthworms.

Bats are great eaters of mosquitoes.

ATTRACTIONS FOR SWIMMING MEET

Diving Contest, Fashion Parade Planned.

Several special attractions are being arranged to be given in conjunction with the A. A. U. swimming meet at Broad Ripple Park, Aug. 17, 18 and 19, among them a series of lessons on the rescue and care of drowning persons. These will be given in the pool and upon a platform in front of the grandstand, the first two evenings by the American Red Cross Life Saving Corps.

The special features for the last evening, to be given between events in the pool, will be the diving beauty contest and the fashion parade in front of the grandstand. Local business firms are asked to enter one or more of their young lady employees in these events, which will be under

the direct supervision of a committee composed of Randolph La Salle Coates, artist and art critic; Myra Richards, noted sculptor; Mrs. John S. Fishback, president of the Junior League; John B. Reynolds, secretary of the Chamber of Commerce, and Rollie Eggleston, manager of Keith's Theater.

There is strong likelihood that Johnny Weismuller again will compete in the swimming events.

WAMPLER NAMED DELEGATE

Public Service Commissioner Frank Wampler was named today to represent the utilities body at a conference on uniform motor bus legislation called in Chicago by the Interstate Commerce Commission. The meeting will be held the last week of July.

INDIANA BOOKLETS POPULAR

Owing to the advance demand for copies of the new descriptive booklet on Indiana, being published jointly by the State Chamber of Commerce and the State historical department, 35,000 copies will be ordered, the printing board decided today. The booklets will cost about 17 cents each.

OWL BUS SERVICE

Announcing "Owl" Service on the following lines:
Central and Riverside—East New York, Brightwood
Leaving the Circle on the even hour and the end of the line on the half hour, all night.

The Peoples Motor Coach Co.

A. SMITH BOWMAN, President.



Where Is Their Rent Money Now?

HERE IS SOMETHING TO THINK ABOUT

Statistics show that out of every fifty-eight men at the age of 65—One is rich, seven are well-to-do and fifty are dependent on friends, relatives or public institutions for their support.

What will your outlook be at 65?

Will you be enjoying your own fireside or will you be a burden to relatives or the community?

This Is the Time to Think—Now Is the Time for Action

Don't let old age creep up and find you helpless and unprepared. It is NOT so hard to pay rent when times are good, but when they tighten up and the landlord presses, and you are not working steadily and other things must be had, how you must wish that you owned your own home.

And to Own Your Home Is Not at All Difficult

Thousands are doing it every year. You can be the possessor of a home embracing originality of design and construction which naturally treats a certain degree of silent pride and satisfaction for you. There are many desirable homes in all sections of Indianapolis that can be bought with a small down payment and the money you are now paying for rent will pay the balance on your home. No matter what your age, start today!

You can't retrieve the dollars already gone; but today—right now, you can swear that the file of receipts shall not continue to grow.

Think man—do it now! It will make you a better saver, citizen and money maker.

And Remember This—

If you have a house or lot that you want to sell, a "Real Estate for Sale" ad in The Times will find you a buyer. Over 200,000 people daily read The Times. A want ad in The Times will reach these people and the cost is low. The Times will help you write your ad and you can charge it.

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