

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.

Appeal Denied

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.

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 hey-day 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. DeArte. He was cited for direct contempt of court and fined \$500 and costs, to which he added a six-month sentence at the penal farm. Dale, as author of his legal answer to the indictment, repeated many of the virile 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 Detective 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 the 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 and dance 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, Peti Lawrence, H. A. Weber, Samuel Cohen, Max Rubens, Jacob Buehnen, Harry Farber, Jacob 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 \$225,000 non 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 workmen are shown clearing away the branches which nearly block traffic.

'GOOD BOY' PARENTS OF BANDIT SAY

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

Assailed Klan

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Expect Fatal News

All through the hours of the night, the parents, Mr. and Mrs. Gail Alger, expected to hear fatal news from the city hospital where the boy, himself shot away, is lying at 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.

Rains General

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.

Rains General

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

Why This?

"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.

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.

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 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. Glaubke, second vice-president; George E. Elter, secretary, and City Controller William C. Buser, treasurer.

COAL BENEFITS STATE

Indiana Collects \$25,570 in Under-River Mining Royalties.

During the last two and one-half years the State has collected \$25,570.82 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 160,000,000 tons of available coal under the Wabash.

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

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 at the head.

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