

BEYER IS TRUTHFUL, ALGER JURY IS TOLD

TOWNS MAROONED BY HIGH WATERS AS OHIO BOOMS

Cannelton, Ind., Cut Off—Shawneetown Battles to Save Levy.

By United Press  
EVANSVILLE, Ind., Jan. 27.—Shawneetown, Ill., was completely isolated by Ohio River flood waters today. Its inhabitants were reported battling to prevent the levee which protects the town from breaking and inundating the town. Both telephone and telegraphic communications were out and it was impossible to definitely determine the situation today. A Government flood relief boat from Evansville is patrolling the river in the vicinity of Shawneetown. Virtually all other Illinois and Kentucky towns along the river in the Shawneetown sector were also cut off from communication, including Harrisburg, Ill. Shawneetown is below the river level, in a crescent-like bowl. The river is on all three sides and all the country about the town is below the river's level. The disastrous flood of 1913 completely covered the town and took a heavy toll of lives. Cannelton, Ind., on the Ohio some sixty miles east of Evansville, was also cut off from highway traffic today, although wire communications were still open. The river was still rising very slowly here this morning. A crest stage of 44.7 feet is expected by night. The weather bureau says when the river starts falling the decline will be rapid.

STRIVE TO SAVE LEVEE

Hundreds of Workers Struggle Against Water in Arkansas.

By United Press  
DES ARC, Ark., Jan. 29.—Hundreds of men were working against time today to save the river levee as flood waters threatened 150,000 acres of land. Refugees were going to high ground, and an appeal has been sent to the Governor for supplies. The levee was expected to give way momentarily under pressure of the swollen stream. Thousands of cattle were drowned and several hundred persons had to flee for their lives early today when three levees broke on the Little River between Cunningham and Enright, Arkansas. First reports from the flooded areas said the Missouri & North Arkansas railroad track was under water. Bridges have been washed out and property damage is enormous.

PRICE OF GREEN BEANS ADVANCED

10-Cent Jump Sets Quotation at 60 Cents a Pound.

Three price changes were made at the city market today, although prices in general have been stable during the week. No new commodities were shown. Green beans made a sharp advance of 10 cents a pound, selling at 60 cents. A small increase brought the ever changing price of strawberries up to 85 cents a quart. Cauliflower was the only foodstuff selling at a lower mark than heretofore. The new price varies from 29 to 50 cents a head, depending upon size. Only an extremely limited supply of ducks is available. This is a normal situation at this season, consequently the price is still 50 cents a pound. Among the several kinds of apples on the stands are greenings, for cooking, four pounds for 25 cents. Fancier varieties include Ortly, 10 cents or three pounds for 25; Jonathan, 10 cents, and Delicious, 15 cents a pound.

NEW STREET CUTTING

A new method of cutting in a street to make water or gas line repairs, to be made effective immediately, was announced by City Engineer Chester C. Oberleas. The new method will require the company making to repairs to cut an eight-inch shoulder on each side of the cut in the street. This will be done so that when the cut is filled and concrete and surface material is placed over it, the settling of the filled trench will not cause the concrete over it to settle below the level of the rest of the street. Cuts exceeding four feet in width will have to have the concrete covering reinforced by steel rods, Oberleas said. This method is in use in larger cities, Oberleas said.

Steal Patrolman's Watch Dog, 6 Hens

George B. Paxton, Negro patrolman, 2014 Highland Pl., admits he is a better protector of other people's property than his own. George discredited the bark of his pet watch dog Friday night, and slept on. Today he found that his henhouse had been raided and six choice hens taken. The thieves also took George's dog. This is the third time this has happened, Paxton admitted to Capt. Walter White as he vowed vengeance on the humiliating burglars. The dog came wandering back today.

Moffatt Tunnel, North America's Longest, Will Doubly Aid Denver



This picturesque stretch of line will be abandoned after Moffatt tunnel is completed. The picture shows a long freight train finishing the tortuous twenty-mile stretch over the continental divide. One track can be seen several hundred feet above the train.

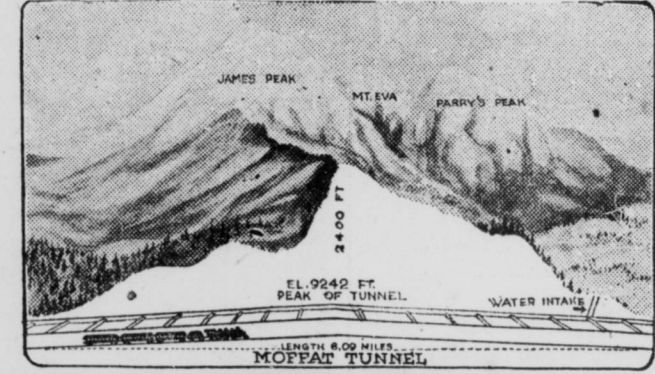
By NEA Service.  
DENVER, Col., Jan. 29.—Two thousand feet under the crest of the continental divide busy gangs of workmen are digging the longest hole ever made in the crust of the North American continent. Next July, when they lay down their picks, withdraw the steam shovels and call it a job, they will have completed Moffatt tunnel, six full miles in length, built to allow trains between Denver and Salt Lake City to escape their present roundabout route over the mountain passes and to provide a new source of water supply for Denver. The tunnel will exist as a monument to one of the west's pioneer railroad builders, David H. Moffatt. It is one of the greatest engineering feats of modern times.

A Dream of Moffatt  
Moffatt was the first to dare to throw a railroad line across the tangled peaks of northwestern Colorado to connect Salt Lake City with Denver and open that part of the State to commerce. He died in 1911, but the tunnel was his dream.

Two shafts enter the mountains—one from the east and one from the west. Less than a quarter of a mile of tunneling remains to be done before they will meet. Delicate surveys, so fine that even the strength of the sun's rays had to be calculated by the men "running the lines," have shown the engineers that the two tunnels will connect to within a fraction of an inch. The engineering problem involved in constructing the tunnel has been enormous. Solid Rock and Shale  
In some places the diggers have encountered solid rock so hard that it blunted their drills. In other places they have struck underground rivers that have flooded the shafts and imperiled lives. In still others they have had to bore through treacherous shale and soft rock that crumbles and caves in without warning.

At times the tremendous weight of the rock above and about the tunnel has caused one of the shafts to "squeeze shut." Walls, floor and ceiling came slowly together with such terrific force that 24-inch beams are splintered like matchsticks. But the work has gone on, and gone on rapidly. The workmen work in three shifts, of eight hours each, so that the shafts are never still. Charges of explosive are set off deep in the rock; the reverberations have hardly died away before the steam shovels are trundled forward to scoop up the debris, while automatic conveyors begin clicking as they throw the shattered bits of rock into the dump cars, mounted on narrow-gauge tracks.

Ventilation by Blowers  
Giant blowers, each of 750 horsepower, will project a wind through the tunnel to keep the men from suffocating. The ventilation system is being worked out by engineers of the Denver & Salt Lake railroad, subject to the approval of the State tunnel commission. The two big blowers are independent of one another, will be placed at opposite ends of the bore and only one will operate at a time. Because the bore is more than six miles long, the blower end must be blocked by a door to assure a thorough draft. All Moffatt engines already use smoke consumers, thus eliminating the smoke evil of ordinary tunnels. Early plans for electric traction in the tunnel have been dropped. At each outside end of the shafts there is a small town where workers, engineers and officials live. Each camp is equipped with hospitals, schools for children of the men and warehouses which hold provisions and fuel enough for a whole month. If a heavy snowfall or a landslide



Above is a diagram showing how the railroad tunnel and the parallel water tunnel pierce the heart of the continental divide. Below is a steam shovel removing crumbled shale and rock after a blast had been let off in the tunnel shaft.

STRIKES 'GOLD DIGGER'

Bill Would Make Harder the All-mountain Path of Divorcees.

By United Press  
ALBANY, N. Y., Jan. 29.—A barrier between the "gold digging" divorcees and the wallet of the ex-husband was proposed by a bill introduced in the assembly Friday by Assemblyman Fred L. Hackenberg, New York, Democrat.

Contending that the alimony feature is one of the worst attending the divorce problem, Hackenberg proposed that no divorced husband would pay alimony for longer than a year, unless, at the time of divorce, the wife was more than 50 years of age and had been married at least ten years; that there were children under 18, issue of the marriage, or that the divorcee had made honest efforts to support herself but was unable to secure sufficient income to do so.

BRIDGE REPAIR IS NOT COUNTY DEBT

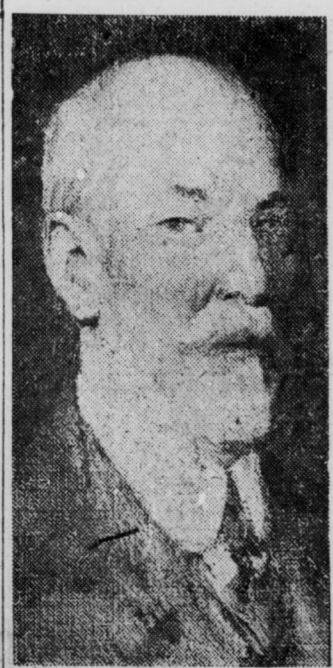
Ruckelshaus Says City Can Go Ahead With Work.

The county does not have to pay a part of the cost of the repair of the College Ave. bridge across Fall Creek, according to law, City Attorney John K. Ruckelshaus announced today.

Charles Remster, bank attorney, ruled Thursday that the \$60,000 bond issue sold by the city for this work was illegal because he thought the county had to pay 45 per cent of the cost. Another legal technically has arisen, Ruckelshaus said. The ordinance passed by the council providing for the bond issue stated that the bond issue was being made under the flood prevention act and the general municipal bonding act. Ruckelshaus stated that this made the ordinance illegal as a bond issue can only be raised under one act at a time. A new ordinance under the general bonding act will be prepared and presented at the next council meeting, Feb. 7, he said.

Roy C. Shanberger, president of the board of works, said that bids for the repair work will be held up for the passage of the new ordinance.

Oil Portrait of Late Hoosier Artist



J. Otis Adams, noted Hoosier painter, who died at his home, 2022 N. Pennsylvania St., Friday, as portrayed by Simon P. Baas, Indianapolis artist, in an oil portrait. Baas at one time was a student of Adams.

RUCKER BOOMED FOR MAYORALTY RACE BY BUSH

Political Machines Scored by Speakers at Merger Protest Meeting.

Rapping the Coffin-Duvall-Dodson machine in the city of Indianapolis and the Jackson-Walsh machine in the State, the mayoralty boom of Alvah J. Rucker, former city controller, was launched by speakers Friday night at Tomlinson Hall. The meeting was called to condemn the public service commission and about 2,000 attended. Passage of the Cann bill to abolish the commission entirely and establish "home rule" was urged. Those attending the meeting were asked to lobby for the bill.

Duty Pointed Out

"The duty of honest citizens is to put down the Coffin-Duvall-Dodson political machine in Marion County and to abolish the Jackson-Walsh grip on State affairs," Rucker declared. He was recently ousted by Mayor Duvall from the office of Corporation Counsel and declared that the reason for the ouster was because he had determined to launch suit for injunction against the merger of the local electric utilities company at a capitalization of \$40,000,000.

This valuation Rucker declared to be false and arrived at by the Chamber of Commerce "guessing committee." He urged support of the Senate bill abolishing the commission. Former Lieutenant Governor Edgar D. Bush, Salina, also urged abolition of commission control and "home rule." He predicted that Rucker would run for mayor of Indianapolis and urged his election.

Tool of Utilities

"The Indiana public service commission was launched as a project to protect the people," Bush declared. "It has become the tool of the utilities and the present personnel should be abolished by all means."

"I was urged not to come to this meeting by paid lobbyists of the utilities. They told me that it would endanger my political future."

FUNERAL SUNDAY FOR J. O. ADAMS

Noted Artist to Be Buried Monday at Muncie.

Funeral services for J. Otis Adams, 75, noted Indiana artist, who died Thursday at his home, 2022 N. Pennsylvania St., will be held Sunday at 3 p. m. at the Planner & Buchanan mortuary, 25 W. Fall Creek Blvd. The Rev. Jean S. Milner, pastor of Second Presbyterian Church, will officiate. Burial will be Monday in Muncie.

Mr. Adams was born at Amity, July 8, 1851. He attended Washburn College two years, and later studied under John Parker, London, England, and in the Royal Academy, Munich, Germany. He had won numerous awards in recognition of his work during his long and active career. Surviving are the widow and three sons, Edward, a student at Purdue University; Robert, a student at Harvard graduate business school, and Alban of Philadelphia, Pa.

PUBLIC SERVICE BODY AFFECTED BY FIVE BILLS

Mass of Proposed Measures Result of Fight on Commission.

Five bills dealing with the public service commission are now pending action in the Indiana Senate. Their provisions range from the Cann bill calling for complete abolition of the body to those of Senator Curtis Shake, Vincennes, which would merely remove municipal owned utilities from commission control.

Two of the bills have been reported favorably out of committee and the rest are pending hearing. Other measures are in the making and if all ideas extant regarding what to do about utility regulation are to be incorporated the number of bills will reach a score before the session ends.

The bill introduced by Senator Howard A. Cann, Frankfort, was the first to be submitted. Originally it called for complete abolition of the commission and revival of the old railroad board. After a public hearing before Cann's committee on public rights and franchises it was amended and the railroad board revival plan stricken out. Utility attorneys appeared at the hearing and pleaded for retention of the commission, but the committee reported the amended bill out with unanimous approval.

Delay Bill's Call

Some effort was made in the Senate to secure further hearings, but after a speech by Cann against delay the committee report was accepted. Cann continues to refuse to call the bill down for second reading and debate.

Another radical change in the commission is proposed in Senate bill 121, introduced by Senator Robert L. Moorhead, Indianapolis. This bill provides that the commissioners be elected from the five Supreme Court districts, rather than appointed by the Governor as under the present plan. The bill carries an emergency clause and is to become effective May 1, if passed. The Governor is to appoint the commissioners to hold office until they may be elected at the November election.

The Moorhead bill provides rules by which the commissioners are to be governed and declares that they must take into consideration the present market value and tax assessment value in determining worth.

Judiciary A Committee, of which Senator Denver C. Harlan, Richmond, is chairman, has the bill. Shake's bill to remove municipal utilities from commission control went to the Cann committee.

Another bill by Senator Shake permits municipal light plants to put their surplus earnings in the general fund of the city. This was reported on favorably by the committee on cities and towns Friday.

Appeal Provided

A third bill by the same Senator provides for appeal from commission decisions to the Circuit or Superior Courts of the county affected by the decision. This went to Judiciary A and has not been reported on.

Public service commission bills to be introduced next week includes one by Senator Denver Harlan which would broaden the commission powers under the present organization and give them permission to probe into the money expended by utilities for lawyers and lobbyists.

Another bill by Senator Harlan provides for a bill providing for radical commission changes. It will abolish the present commission and put in its stead a commission of six members, three Democrats and three Republicans. They will be appointed by the Governor, but must have the approval of two-thirds of the Senate.

It also provides for appeal to the Marion County courts from commission decisions and would make assessment figures a large factor in determining value. The commission would be able under this measure to eliminate high salaries paid for lawyers and lobbyists when determining operation costs for rate making.

LEGION TO HELP IN EMERGENCIES

Prepare Working Units for Times of Crisis.

Activity of Indiana posts of the American Legion in relief work in fires, tornadoes, mine explosions and similar disasters played a large part in the formulation by national headquarters here of plans just announced for definite organization for such emergencies. Department Adjutant J. H. Klinger said today. Posts throughout the country are organizing corps for specific duties in time of disaster in cooperation with the American Red Cross and other organizations.

The Legion plan of organization within the post contemplates a patrol unit to do police and guard duty; transportation unit to mobilize and operate trucks and automobiles; a medical unit to render first aid and convey the injured to hospitals, and a supply unit, in which Legion auxiliary members would play a large part, to prepare and distribute food to victims and workers and provide clothing and shelter for refugees.

Outstanding recent instances of disaster work in Indiana include the work of Oakland City and Princeton posts in the mine explosion at Francisco mine No. 2, of Marion and Valparaiso posts in severe fires in the business districts of those towns and work in the tornado in southern Indiana and in a mine disaster at Sullivan.

State in Rebuttal Calls Character Witnesses for Hotel Man Who Says Youth Shot First.

By Eldora Field.

Times Staff Correspondent  
DANVILLE, Ind., Jan. 29.—Who to believe.

Gene Alger, 18, Butler University student, on trial for the alleged murder of John J. Buchanan, Indianapolis Negro trafficker.

"The Edward A. Beyer, proprietor of the Beyer house, who hid in a closet with Alger when Buchanan was shot and killed."

Alger, a witness in his own behalf Friday, swore Buchanan fired first through a door of the closed and that he fired back in self-defense.

Beyer, a State witness, swore Alger fired first; that his gun roared when the officer rattled a hook on the door.

To aid the jury, which will decide Alger's fate, the State this morning called eighteen witnesses, most of whom were to testify as to the reputation of Beyer for truthfulness. Their testimony was halted at noon by adjournment of court for the week-end.

Prominent Men Called

Some of the witnesses, all of Indianapolis, who testified were: Henry Kahn, president of the Kahn Tailoring Company; Harry B. Burnett, president of the Burnett-Birford Lumber Company; Lewis P. Horton, general agent of the United States Casualty Company; Ralph K. Smith, vice president and cashier of the Fletcher American National Bank; Orion Stierwalt, secretary-treasurer of the Stierwalt and Hanson (dual) Tailors, and Frank B. Ross, former probate judge.

Defense Scores

The defense scored when Judge Edgar Blessing ruled that Beyer could not be used to impeach the testimony of Defense Attorney Fred King.

King testified Friday that he had a conversation with Beyer in which the hotel man told him that Buchanan had fired first.

Beyer was put on the stand this morning to refute this, when the defense objected and was sustained.

Examination of the new witnesses will continue Monday. With final arguments yet to be heard, the case is not expected to go to the jury until late Tuesday or Wednesday.

Gene's Story

Gene was called Friday afternoon when he took the witness stand to tell the story which he hopes will save himself from punishment.

Gene remembered clearly all the events up to the shooting of the officer in the Beyer House, 225 N. Capitol Ave., that morning of July 9. But he told the jury that as he fled from there he climbed over a wall, fell, that his body became numb, that the next thing he knew he was in the city hospital at Indianapolis several days later with his mother and father and a girl reporter talking to him.

No Recollection

He declared he had no recollection of running down an alley from the Beyer House, of climbing on the running board of an auto at Illinois and Ohio Sts., ordering the woman driver to drive like h—l, of being shot, taken to the city hospital. He said he did not remember signing a confession to the shooting.

Gene began his testimony with a brief personal history of himself. Early on the morning of July 9, he set out to find work, he said. He carried a suit of overalls with him. He did not tell that he had a gun, too.

First he went to Kingan's. There was no job there. Then he went to the State highway department at the Statehouse. He was unsuccessful there, too. So he walked out on Senate Ave. to Ohio St. and stopped near the curb where the Chevrolet auto of Alvin Ford was parked.

He said Jerry Strode, a Butler athlete, passed him and nodded to him. "Did you see anybody else?" Guilely asked.

"Alvin Ford," he said. "Did you insert a key into the lock of the car?"

"No, sir," he said. "What were the first words that Ford said to you?"

"What are you trying to do, steal this car?"

"No, sir, I told him." "It looks to me like it," he said. He showed me a badge and said: "Come along with me." We started east, he holding my arm. As we walked along, I told him I thought it was my father's car. He said it was his car. I had thought he was an officer and was trying to scare me. He took me to an officer. The officer asked me my name. I told him. Then Ford told the officer he was a horse thief detective. Then we walked back to where the car was.

Feared Arrest  
"I told the officer I hated to be arrested as I was going to school and it would cost me against me. "Damn your school," he said. "That sorta took the wind out of my sails. So I said nothing more."

Alger then told how he was taken to the fire store how he was told to sit behind a railing, how he heard the officer call the police station and how another officer entered.

"Watch him," Officer Mosbey told Officer Hadley," Gene said.

Pulled His Gun  
"Hadley was about six feet away. He turned his eye toward the other officer. I got up and slipped outside the railing. Hadley saw me. He reached for his gun. When I saw him I reached for my gun and fired a shot over Hadley's head. Hadley fired a little over my waist line. As far as I could tell the guns were fired at the same time."

"I ran out the back door of the fire shop on to Capitol avenue and I heard more shots; one of them struck me in the left leg, below the knee. I kept on running and got as far as the Beyer house and turned into what I thought was an alley—

a narrow space, where I couldn't get out. There were two windows in the wall, a big one and a little one, and I put my gun in my pocket and climbed from the big one to the little one and kicked out the glass and crawled through into the bathroom and out into a hall."

"Did you have your gun in your hand?" asked Chief Defense Attorney Guilely.

"I did." "And did you say, 'Stick 'em up?'" "I did not."

"Mr. Beyer was dragging a vacuum sweeper along after him," continued Gene. "I told him to shut it off. He said 'Shut that off!' and I said 'The vacuum sweeper'—and he did. He said, 'You can take anything you want.' I said, 'You haven't got anything I want—all I want is to hide.'"

"Beyer said 'Come with me and I'll show you a good place, and he took me down the hall and showed me the closet and said, 'No one can find you here. We both went in.'"

"Then suddenly some one fired through the door," he declared. "I was facing the door. A fragment of the bullet hit me on the forehead. I heard no footsteps, no sound. No one had said anything before that shot was fired. I whirled around, threw myself against the door."

"I was going to give myself up. The door opened slightly, maybe six or eight inches. Something held it. Another shot was fired. I opened the door with my left arm and fired back. Outside I heard some one talking, but I couldn't distinguish the words."

"When you were in that closet, did you fire before the two shots were fired?" Guilely asked.

"No, sir." "Did you see who was on the outside?"

"Did not see officer." "No, sir." "I tried to open the door," he continued, "pushed on it several times. Then the door came open. I looked out, saw no one. I jumped out the window. I fell over a wall. I fell on my left hand. A numb feeling came over my whole body. I don't remember anything after that until I was in a hospital with my mother and father and Miss Field, a reporter, talking to me."

Gene was severely cross-examined by Prosecutor William H. Remy of Marion County, who weakened Alger's story at several salient points.

He made Alger admit he aimed "only six or eight inches—maybe ten inches—above the head of Officer Hadley in the tire shop."

Questioned about the bunch of auto keys in his pocket when he was seized by Ford, and which it is claimed he was trying to fit in Ford's car, he admitted he had not been in the habit of carrying them—that it was the first time in months before that morning.

VICTIM STABBED BY BANDITS; ROB FILLING STATIONS

Man Is Taken to Hospital—Will Live—Robbers Enter Five Places.

Two Negro bandits held up and stabbed a man Chicago, 45, of 415 N. Liberty St., at Michigan and Leon Sts. early today. After searching his pockets and were disappointed they became angry and one drew a knife and slashed him several times. He was taken to city hospital, where it was declared his condition is not serious.

Two men drove into the Standard Oil station at Southeastern Ave. and Washington St., and attempted to hold up the attendant, Jack Kinmich, 504 W. Dr. Woodruff Place. When he ran inside the station and refused to open the door, they left, he told police.

A lone bandit entered the filling station at St. Clair and Alabama Sts. Friday night, and hid up Clyde Disbro, 23, of 646 E. Pratt St. Disbro was forced to open the safe and hand over \$30, he told police.

Within a few minutes Friday night, three gas stations were robbed. The Standard Oil station, Commerce and Roosevelt Aves., was held up and Murrell Hook, 1412 Hoefgen St., attendant, reported to police that two auto bandits secured \$16 they forced him to hand over.

Another Standard Oil Station, at Massachusetts Ave. and North Sts., was robbed. J. O. Smith, attendant, was relieved of \$12 by a lone auto bandit. The police emergency squad was passing at the time, headed for the first hold-up. Sergeant O'Connor, in charge of the auto squad, thinking that something was wrong, slowed down, but upon seeing a woman customer laughing, drove on.

R. P. Beverly, attendant at the Standard Station, Rural and Tenth Sts., was not an easy victim for the two bandits who attempted to rob him. Beverly said one man alighted from an auto and drew a gun. Beverly seized the gun barrel and pointed it back towards the bandit. As he did so he leaped back inside the station and closed the door. The pair drove away without loot.

ABOUT BABIES

LONDON, Jan. 29.—The birth rate for the laboring classes of Great Britain, announced recently, is 231 births for every 1,000 laborers. In the medical profession the births were computed as 103 for every 1,000; 105 per 1,000 for ministers.