

MUNCIE LEADERS SAY REPUTATION OF DEARTH 'BAD'

Investigator Said—Court 'Stinks to High Heavens,' Minister States.

Prosecution closed its testimony on impeachment charges against Judge Clarence W. Dearth of the Delaware Circuit Court before the Indiana Senate Wednesday afternoon, with testimony delivered earlier by defense character witnesses. Prominent Muncie ministers, Sunday school leaders, merchants and professional men mounted the stand to declare that the judge's reputation for honesty and integrity was "bad."

The list included Revs. Myron W. Butler, pastor of the First Christian Church and president of the Muncie Ministerial Association; Edgar F. Daugherty, pastor of the Jackson Street Christian Church; John W. Nicely, pastor of the First Presbyterian Church; Dr. F. L. Botkin; F. E. Fautz, merchant and president of the Center Township Sunday School Association; George Wagner, thirty-third degree Mason and manager of the Muncie Masonic Temple; Alonzo Leon, Peoples' Trust Company director; Clinton Goodspeed, secretary of the Farmers' Mutual Insurance Company; Frank Ross, a retired farmer, and Ray West, machinist at Ball Brothers plant. All testified that the judge's reputation for honesty and integrity was "bad."

Efforts of defense counsel to stem the testimony tide, let loose by questioning of Senator Bruce E. Cooper (Rep.), Stewartsville, known as a Klan hold-over, proved futile. Cooper had intended to come to the defense of the judge by asking Rev. Nicely if it wasn't "hearsay evidence" upon which he based his estimation of Dearth.

First Hand Information
"I have first hand information," Nicely replied. "I should be glad

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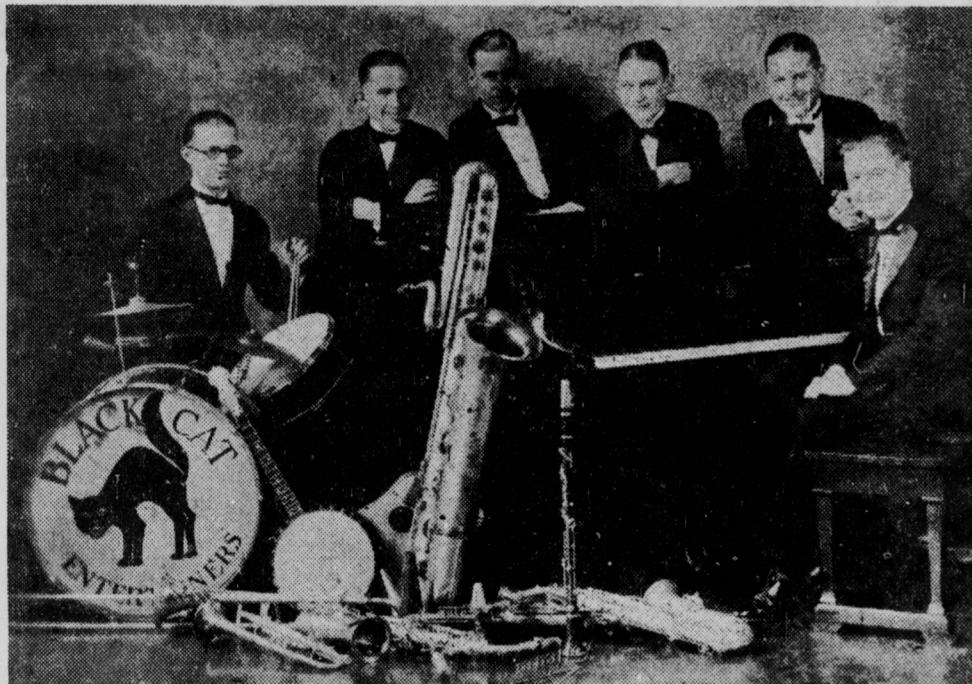
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H. R. Riggs and His Orchestra

Starting at 9 o'clock on Friday night over WFBM from the studio at the Sevierin, H. R. Riggs and his well known dance orchestra will be on the Times program.

and the bootleggers and disgruntled politicians against me."

Permission was granted and the minister launched into a diatribe against Dearth that set the Senators at ease. He told of how four investigators from the Institute of Social and Religious Research of Chicago, spent weeks in Muncie unearthing facts. Muncie was chosen for the experiment as a typical mid-western city of its size.

"Rev. Robert Lynd, New York City, graduate of Princeton, and the Union Theological Seminary, was one of those investigators," Rev. Nicely related. "He told me before he left the city that the Dearth court is so rotten it stinks to the high heavens."

Cooper again contended that this was "hearsay," so the minister continued. He told of how Dearth called the Muncie ministers together and after citing about one hundred cases of law violations declared he wanted their co-operation in launching a clean-up.

The board heard of poor persons

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The orchestra consists of Louis H. Griffitt, trumpet; Robert Hood first saxophone; John C. Jackson, second saxophone; Harry Riggs, banjo; Walter Reinecke, drums; Charles Loche, trombone and H. R. Riggs, piano and manager.

Riggs has prepared a program which will include some of the hottest dance tunes of the day.

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When the State asked rebuttal witnesses whether or not this was so, defense objected. Senators voted 26 to 14 to permit the question to be answered and all of the witnesses declared that such was not the case.

Rev. Butler's experience with Dearth, upon which he based the claim that the judge's honesty and integrity was "bad" came through his appointment to the Muncie board of charities. Among the duties of that body was to inspect the poor farm presided over by Superintendent Shroyer, whose relatives were among those who serve on Dearth juries, according to former testimony.

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