

The Indianapolis Times

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No law shall be passed restraining the free interchange of thought and opinion, or restricting the right to speak, write or print freely, on any subject whatever.—Constitution of Indiana.

Preserving the Constitution

These are perilous days for the Constitution and it is somewhat refreshing to find, occasionally, a voice raised in its defense.

In no other way could that declaration of Attorney General Arthur L. Gilliom to the Supreme Court in his opposition to the self-salting salary law of the last Legislature be construed.

It must have taken considerable courage to tell the Supreme Court that:

"What appellant (and this means the legislators who raised their own salaries from \$6 to \$10 a day) obviously sought to do was by that means to remind the court that the seventy-fifth session increased the salaries of the judges of the Supreme Court, who are now to decide this case, from \$7,500 to \$10,000 per year. No such increases to the Governor, to the Attorney General, or to the judges of the Supreme Court afford any legal or proper reason for sustaining the increase which the members of the Legislature provided unto themselves. The Constitution can not be thus bartered away."

"It is not a question of policy or reciprocity here. It is a question of power under the Constitution."

The inferences and implications are very plain. They are, in fact, so plain and evident that the judges can not help but notice them.

There is no question of what the people thought, was in the Constitution.

They believed that it contained a provision which prevented the Legislature from increasing the pay of members while they held office.

They believed that members of that body who accepted office did so under the pay which was then fixed by law.

They thought that the Constitution stood as a bar against any raids upon the tax funds.

The Attorney General seems to have a very firm conviction despite the decision of three of the judges, that the Constitution still contains this provision and minces no words in defense of his position.

He seems also intent on maintaining a respect for the highest court in the State. For his unusual plea will have this effect, of course. It is not likely that in the future any lawyers will suggest by comparison or inference that because members of the Legislature raised the salaries of the Supreme Court judges they can take more money for themselves.

At least that ought to be the effect. Perhaps the Constitution is not entirely junked after all.

Government by Bootleggers

At last we have government by bootleggers in this State. Such is the amazing charge made by a prosecutor of one of the southern counties who appeals for Federal aid to enable him to even make an arrest.

The bootleg ring, so he tells the Government, is so well entrenched that officers of the law are afraid to make an arrest.

And back of the desperation of the bootleggers is a public sentiment which he dominates as "liberal" which upholds the bootleggers as against the regularly elected officials.

He asserts that public sentiment is such as to make a conviction in his county impossible on any charge of liquor violation and that because of this sentiment the bootleggers are able to challenge organized authority and to threaten any one who dares to interfere.

The situation is not unexpected. It is the logical situation.

It is what will always happen in this country when law does not express public sentiment.

The people of that county, or apparently a very large number of the, do not look upon selling liquor as crime. They resent, most naturally, if they hold such a view, any interference with what they look upon as a desirable service to their community. They very naturally refuse to convict them of offenses which they do not consider crime.

The situation in that county is the logical result of the hypocrisy of officials and especially of legislators.

The citizen who knows that the very laws which are made for him are generally violated by the men who make and enforce laws is not likely to have any deep respect for the written law. He is quite likely to defend the violator rather than the law.

Some day the laws on prohibition and other questions will really put into words the sentiments of the majority. When that is done there will be no reigns of terrorism by special classes of violators.

Of course, the logical result of this particular appeal should be the sending of troops to this county if necessary to enforce the law and put an end to crime. If that were done often and in enough communities, the Legislature might try to discover the real wishes of the people and then make the law fit that sentiment.

Justice!

Monday the United States Supreme Court ruled that the bootlegger's business is subject to taxation.

He must share his profits with the community, just as did the saloonkeeper of old. Once each year he must march to the revenue collector's office and plank down a percentage of his profits, even as you and I. He'll have to sit up nights, as we do, figuring out his return. If he bootlegs on only a modest scale you can see him, the cover pushed back on the dining room table, struggling manfully with pencil and paper to avoid giving the Government any more than the law requires. If he classes among the bootleg kings, of which each community seems to have plenty, he may leave this distasteful duty to his bookkeeper, chief accountant or auditor. In either case when doubts arise he can call on a revenue clerk for assistance or obtain the advice of his banker.

But he no longer can escape the income tax. And that's justice.

Bootleggers are no better than the rest of us. Of course, it will be hard for them at first. Probably few have their business in the orderly shape they should have. They doubtless have left too many things to their memory, especially those items that come under the head of necessary expenses, business losses and depreciation. When a bootlegger's car has been shot out from under him, heretofore he has said, "Well, there goes that," and thought no more about it. Now he'll make a note of the matter and figure it into his next tax schedule as so much loss of rolling stock. When the Gov-

ernment agent who has been satisfied with a \$100 bribe, holds him up for \$200, he no longer will take out his irritation on his faithful little wife. He'll put it down in his book and transfer it to the tax sheet when the time comes.

All in all, this will work out to the bootlegger's benefit. It will help him regularize his business. It will promote efficiency. He should be the first to see it. Perhaps he does and perhaps he already is planning to organize, with the others of his craft under the wing of the Secretary of Commerce to push this new efficiency to the ultimate.

But the point we are concerned with is this new vindication of American justice. America becomes again a country without classes. Bootleggers are no better, in the eyes of the law, than other citizens.

Thus Churches and Mexico

American interests in Mexico undoubtedly have real grievances against that government, but not one that justifies any form of forcible intervention.

Such, in substance, is the finding of an exhaustive report of the Federal Council of Churches after months of painstaking investigation by its department of research and education.

"A strictly informational document," the churchmen call the report, and that is just what it is. It does not purport to tell either the United States or Mexico how to settle their quarrel over oil and land.

The Federal Council of Churches finds the petroleum law of 1925 has confiscatory features; that it is at variance with our 1923 understanding with Mexico upon which Washington based recognition of the Obregon government; that other features of Mexico's new constitution and laws are at least novel; and so on. But most of these things have yet to be passed upon by Mexican courts and none given the right, under international law, to use force against our southern neighbor.

With admitted grievances to settle with Mexico, the report asks, in effect, just how far should our State Department go in upholding American interests down there?

"This problem," the document says, "must be studied not only in the light of American interests, but also against the background of the humanitarian aims of the Mexican revolution and the struggle of the Mexican people to realize it."

"In its sovereign capacity," it continues, "the United States might suspend diplomatic relations, might lift the arms embargo . . . or might declare war. There is no international power to restrain her."

"But any action amounting to forcible intervention in the internal affairs of another nation, in such a case as the present, whether it involves military measures or other means of coercion, can not derive its sanction from international law."

In other words we may be big enough and powerful enough to make Mexico jump through the hoop whenever we feel so inclined, but we have no legal right to do so. Our national conscience must be our guide.

"In the issue thus presented to the American people," the report concludes, "the churches of America have a vital stake, not simply because of their missionary interests, but because of their concern for international justice, cooperation and good will."

Quite as it claims, the council of churches does not suggest any course of action, nevertheless it does put itself very definitely on record as holding that "the moral obligation to find an alternative to hostilities is not open to question."

This is not the first time the Federal Council of Churches has deserved a hand for its service to truth.

A Real Engineering Feat

Because the opinion is expressed by a man of great wealth, and because it is expressed before an audience of political economists, there is interest in the statement of John Hays Hammond that the engineers and experts of the world will, sooner or later, have to direct their intelligence to the solution of our social and economic problems.

He was talking of the problems which are usually discussed by the soap box orator: problems of poverty, unemployment, low wages, strikes, lock-outs, under-nourished school children, slums and the excessive concentration of wealth.

Stuart Chase has viewed the waste of our business system from the standpoint of the engineer and expert, and fills a book with perfectly good examples of perfectly bad waste.

Everybody knows that there is enough of everything to go around, but there is something wrong about the division and distribution. Fifteen per cent of the people own some 60 per cent of all the things that are owned. Mr. Hammond admits that this is not entirely as it should be. He is probably not willing to go along with the socialists or single taxers or communists and admit that their remedy is the right one. But he agrees with them that there is something to be remedied. Which the average millionaire does not admit.

Mr. Hammond says he would like to see business and industry just as scientifically standardized as our weights and measure. Which would mean, of course, that shoddy would not be sold for wool, that not even a tariff protected industry would be able to make extortionate profits, that the wage would be measured according to the service rendered, that all workers would have a right to their jobs, and that there would always be labor for any man or woman willing and able to work. And there would be food and shelter for those not able to work.

Some job, Mr. John Hays Hammond! Bring on your engineers! You have engineered diamond mines and other big money getting enterprises. Let's see your blue prints and estimates on this job.

An economist who says that American purchases in Europe are increasing rather than falling off must have been reading the divorce news from Paris.

A Georgia scientist announces he has discovered the sex center of the brain. We thought the revelation had been made years ago on Broadway.

America is a country where a censor can always see a good movie.

TRACY

Says:
 We Seem Unable to Do
 What Decency Calls for
 Unless Horrified.

By M. E. Tracy

If the law enforcement officers of Canton, Ohio, had done their work as well before Don R. Mellett was murdered as they have since, his life would not only have been saved, but the gang that killed him would have been broken up.

The success with which his slayers have been prosecuted not only shows what can be done, but what should have been done.

The saddest feature of our social and political attitude is that we seem unable to do what decency calls for unless horrified into action.

School Bombing

It is surprising what people will do to get out of trouble.

Henry Judd Gray and Mrs. Snyder killed the latter's husband because they dwelt with the thought of their own misconduct so long that they could see no other way of escaping its consequences.

Now comes this appalling tragedy in which thirty-five school children were killed and forty-nine injured by a man who is believed to have gone mad over financial difficulties.

Our grandfathers had a proverb which said that "An inward sorrow is a consuming fire."

Secret troubles, whether they result from misconduct or circumstances, are dangerous.

Half the crimes and suicides in this country are caused by the fact that people live too much alone with their worries and misdeeds.

Beer Not Indecent

A United States Circuit Court of Appeals has ruled that no moral turpitude goes with the manufacture or possession of liquor for home consumption.

Frank Bartos, a Nebraska lawyer, pleaded guilty to making and possessing 700 quarts of home brew.

A Federal judge disbarred him on the ground that this was immoral and represented a violation of his oath as an attorney.

Bartos appealed from the order of disbarment and has been sustained by the Circuit Court.

The decision, written by Judge Robert Lewis of Denver and concurred in by Judges Kenyon and Trible, declares Bartos had committed no felony and was guilty of no malice and that "no court has regulatory power over the private life of a member of the bar."

"The mere use of liquor in the home," says the opinion, "has not been generally regarded as involving moral turpitude."

Doctor Business Aid

President Coolidge touched on a vital factor of modern life when he told the American Medical Association of the dependence of business on health.

Few people realize what a tremendous part improved health has played in making possible those activities and industries which have produced the present age.

Epidemics not only prevent the building of great cities, but they continually throw business into panic.

Two hundred years ago the cry of smallpox was enough to spoil the trade of a town, if not an entire section of the country.

One hundred years ago, a yellow fever scare was sufficient to keep ships away from any port. Medicine has done a lot to make mass production possible and valuable stable.

Battle for Health

The battle for health has its risks. Sometimes it seems as though we cure one disease only to create another. Smallpox, yellow fever and other old ailments lose their terror, but heart trouble, cancer and paralysis grow more common.

Heart trouble outranks all other diseases as the cause of death in this country today.

Dr. Henry Albert, health commissioner of Iowa, declares that this is the penalty being paid for the increased span of life achieved in the last few decades.

More persons are recovering from infectious diseases every year, but are left with damaged hearts, and as a consequence there are more failures of the body's central pumping plant.

Governor Fuller

It is reported that Governor Fuller will not appoint a commission in the Sacco-Vanzetti case, but pass on it himself. This is as it should be.

A commission could have contributed nothing but advice. In the end Governor Fuller would have to make the decision and take the responsibility.

It is his credit that he recognizes this inescapable phase of the situation and is ready to dispense with all false notions.

Battle of Beans

Bad beans caused the strike at Sing Sing. One report says they were improperly cooked and another says they contained rocks.

Warden Dawes admits the beans were bad but says the prisoners should have made their complaint in a more diplomatic way.

Probably they should, but the strike got results even if its leaders did have to spend four or five hours in solitary confinement.

This is the second food strike that Sing Sing has had during sixty years, and both were successful, because they were based on obviously just demands.

In 1869 Sing Sing prisoners struck for bread and ice water during the summer, and they got it.

On this occasion they struck, or seventy-five of them did, at least, to protest the way their beans were served, and apparently their protest will be heeded.

If prisoners have a right to demand anything, it is good, clean, wholesome food.

House Falls on Old Couple



Mrs. Fred Emrich (left) who will take William Stuart (right), to her Cumberland home.

Two of the most pathetic victims of the tornado which swept the east side were Mr. and Mrs. William Stuart, both 70, whose little home in rear of 61 N. Keystone Ave., was flattened, pinning them beneath the wreckage.

Dazed by a blow from flying timbers, Stuart succeeded in freeing himself and finding his aged wife fastened beneath a side of the house.

Works by Lightning

With only lightning flashes to illuminate the junk heap, the husband worked for nearly an hour, trying to free Mrs. Stuart's arms

and legs. Finally after working quite a while he was able to lift her from the water-soaked pile, which a few minutes before had been their happy home.

Neighbors came to the rescue and Mrs. Stuart was taken to city hospital where her condition is regarded critical. She suffered a punctured lung and is suffering from shock hospital attaches said.

Hurled From Bed

Stuart had put on his night clothing and retired shortly before the wind struck the house. He was hurled from bed into a distant corner of the room. Mrs. Stuart had not retired.

Scarcely able to walk, Stuart visited his former home early today to collect cherished keepsakes and an overcoat of which he was proud. Several hours' search for the coat was in vain.

To See Wife

Shortly before noon he left and went to the hospital to see his wife.

"Oh, I do hope she will get over it all right. But they say she is badly hurt," he said.

Mrs. Fred Emrich, Cumberland, a niece, planned to take the couple home with her to live.

WEEKLY BOOK REVIEW

Angy Allingham Refuses to Wear the Scarlet Letter of Shame These Days

By Walter D. Hickman

Angy Allingham is a "modern girl," and, being so, she refused to wear the scarlet letter of shame.

Angy went into her "shame" as an adventure of love, although the man in the case was much married to another woman.

Angy had her fatherless child and she was proud to be a mother under

the circumstances. She refused to be shamed or ashamed.

If you read "The Allinghams," by May Sinclair, you will hear much of Angy and of her brothers and sisters as well as mother, father and Aunt Martha.

In this modern day when sex is being paraded in books as well as upon the stage, it is not astonishing to see May Sinclair base the climax of her story on the refusal of a modern girl to wear the scarlet letter.

"The Allinghams" has an English setting and we start with the family when the children are just youngsters and keep up with them until they reach their twenties.

It seems that the younger generation in the story were not shocked at Angy and her love baby, but father and mother of Angy about passed out of the picture.

But after the battle is over, Angy and her child are received in the country home of her parents.

May Sinclair won me over with "The Rectory of Wyck," but I am all the more drawn to "The Allinghams." At times the author has sketched her characters too briefly in their careers.

You never suspect that Angy is going wild over a married man although you are quite sure that Margie, the eldest of the Allingham children, was going insane. But it

is what makes Margie go insane that gives one a shock.

The truth is, Miss Sinclair is rather rough on some of her characters. And at other times, they act more like characters of fiction than real people.

Yet there are times in this strange story of a strange family, you find real stimulation in the author's theories. That is, some of them as applied to her characters.

In the argument that is going on in literary circles about Angy Allingham, I am told that there is a wide difference of opinion. Some hold that the author actually avoids an issue by making Angy love her child as much as if he were legitimate.

This is based on the theory that a mother is always a mother under every and all conditions.

There are those who maintain that Miss Sinclair has brought keen observation to a subject which is being considered or rather accepted differently by society than it was in the days when Hawthorne's sad figure in "The Scarlet Letter" was forced to wear her badge of shame.

Anyway, they are going to talk about "The Allinghams," published by the Macmillan Company.

Looking Over Stage Events

With all its native atmosphere, songs and tunes the Solis Brothers' Marimba Orchestra has been brought from Madrid and will present the headline entertainment on the Palace Theater bill the last half of this week, opening today.

Called a "Good Morning Revue," Morning Glories is billed as a song and dance offering presented by a quartet of funsters. Pam and Peggy Garvin play instruments and sing. Two boys furnish the eccentric steps.

"The Jolly Jester" is Walter Brower, whose main topic is marriage. He has a steady stream of talk, funny stories and laughter.

Perly and Maher stand on the street corner and chatter foolishly. They end up by giving several comedy characterizations in which they inject songs, music and dances.

Bill includes Conway, Ray and Thomas.

"No Control" is the film, with Phyllis Haver and Harrison Ford in the main roles. Pathe News, a comedy, and topics of the day also are shown.

Other Indianapolis theaters today offer: "Laff That Off" at English's; "The Patsy" at Keith's; "Carnival of Venice" at the Lyric; "Held by the Law" at the Colonial; "The Love of Sunya" at the Circle; "The Magic Garden" at the Apollo; "Rookies" at the Ohio; new show at the Isis and movies at the Uptown.

Auction Bridge by Milton C. Work

Declarer Should Play Cards in Closed Hand Deceptively.

The pointer for today is: DECLARER SHOULD PLAY HIS CARDS IN THE CLOSED HAND AS DECEPTIVELY AS POSSIBLE.

Yesterday's Hand

♠ A-K-4-3-2	♥ 6-4-4	♦ 10	♣ 7-5-3-2
♠ 5-4	♥ K-6-7-3	♦ A-3-7-3	♣ 9-8-4
♠ 9-8-4	♥ 10-9-8-7-6-5	♦ 2	♣ J-10-9
(Dealer)	♠ J-7	♥ A-10-3	♦ Q-J-9-8-3
	♠ A-K-Q		

The bidding should be: South one No Trump, West pass, North two Spades, East pass, South two No Trumps. The play to the first trick should be: West, Three of Diamonds; North (Dummy) Ten of Diamonds; East, King of Diamonds; South (Closed Hand) Six of Diamonds.

North bids two Spades over South's one No Trump because he has a strong five-card Major. South, with only two cards of his partner's Major, and with the other suits in good shape, confidently rebids the No Trump.

South plays the Six of Diamonds, not the Deuce, because with the Three led, showing the Deuce would notify East that West opened a four-card suit and East could then count that returning his partner's suit would probably be of benefit to the Declarer. South desires East to return Diamonds, so he plays the Six—not the Deuce—which will probably induce East to place the Deuce in West's hand, and to continue the suit, thinking that West is longer than South. It will be noted that if, at this trick, East should shift to Hearts, he would save game; but with the Diamonds continued, the Declarer would make game without difficulty.

Today's Problem—In the following deal, look at the hand of each player and determine what you think he should bid in his turn; in that way you will decide what the final contract should be. Then decide what four cards should be played on the first trick and fill in pencil on the answer slip given below.

♠ J-10	♥ 5-4-3	♦ 8-7-6-5-4
♠ 9-3	♥ A-J-4	♦ K-J-8
♠ K-9-3-2	♥ 10-8-7-6-2	♦ 9-5-3
♠ J-8	♥ 3	♦ K-2
(Dealer)	♠ A-Q	♥ A-Q-10-6
	♠ A-K	♥ K-Q
	♠ A-Q-10-7-5	

Answer slip of May 19

..... should be the Declarer; the contract The first trick should be: leads Dummy plays Third Hand plays Closed Hand plays plays

Mr. Fixit

All city boulevards will be put in good condition by the park board as soon as warm weather permits the use of oil, according to Park Board Secretary Clarence Myers.

The park department has everything necessary before boulevards can be oiled and rolled satisfactory in readiness for the arrival of summer weather.

Dear Mr. Fixit: I would like to ask about Pleasant Run Blvd., running on the north side of Pleasant Run between Shelby and Prospect Sts., which is in a deplorable condition. The poor taxpayers paid for this part of the boulevard last year and yet up to the present have nothing but a lot of chuckholes. Thanking you for past favors, I am

SOUTH SIDE CITIZEN.

The park department has been watching your street and will repair it as soon as weather is warmer.

\$5.00
 ROUND TRIP
 TO
ST. LOUIS
 SUNDAY, MAY 22
 SPECIAL TRAIN
 Central Standard Time
 Leaving Indianapolis - 12.01 A. M.
 RETURNING
 Leaving St. Louis - 6.30 P. M.
 Stopping at East St. Louis and Washington Avenue in each direction
PENNSYLVANIA RAILROAD

Irving Bacheller by writing "Dawn" as given his readers one of the big novels of the year.

coat was bought on Friday