



The Indianapolis Times

HOME

Fair and cool tonight with heavy frost; Thursday fair and somewhat warmer.

SCRIPPS-HOWARD

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COFFIN WILL RENEW PLEA ON MANAGER

League Chief Refused Audience by Negley in Effort to Pick Mayor.

CONFERENCE IS CALLED Civic Clubs Invited to Meeting to Select List of Eligibles.

Charles F. Coffin, City Manager League chairman, announced this afternoon that he would renew his attempt to arrange a conference with council on selection of a permanent mayor to succeed Claude E. Negley.

Earlier in the day Coffin said he would abandon the attempt after receiving a letter from Negley discouraging the suggestion of Coffin that city manager movement leaders propose several men from whom council would elect the permanent mayor Nov. 8.

He decided to renew the attempt, he said this afternoon, after talking with several other city manager leaders who advised that Negley had written him without consulting with several of the councilmen.

Can't Talk for Council

Negley wrote a letter answering Coffin's request for a meeting with the whole council declaring he believes the "political activities of the city manager league should be confined to the city manager form of government, the election for which takes place in the fall of 1928."

Citing his friendliness to the city manager movement and support given by City Clerk William A. Boyce Jr., Negley declared he would be glad to confer with the league directors personally but could not speak for other councilmen.

Negley declared he and Boyce fought the Sims amendment permitting mayors defeated in city manager elections to serve out their terms, in the last Legislature "and I regret to say that we were not supported in our efforts at that time by your group; had we been, a different condition of municipal affairs might now exist."

Civic Leaders Invited

Boydton J. Moore, majority faction member, said at the Lincoln to select two or three capable citizens whose names will be presented to council. Council will elect a permanent mayor Nov. 8.

Walter Harding, Kiwanis Club president, announced O. B. Iles and Carl S. Wagner had been named to represent the Kiwanis Club at the meeting.

"A united effort is needed to put Indianapolis again at the very front of American cities," Coffin's letter to club officers said.

Indianapolis Real Estate Board adopted a resolution by Frank E. Gates asking council to accept advice of City Manager League in naming a mayor.

Want Non-Partisan Mayor Chamber of Commerce civic affairs committee adopted a resolution asking city council to name an "outstanding" representative citizen who is not allied with any political faction."

Names added to those being discussed for permanent mayor by councilmen and business leaders today included Frank P. Manley, president of Indianapolis Life Insurance Company, former park board president; Edward B. Raub, Democratic member of the council, vice president of Indianapolis Life Insurance Company; T. N. Wynne, president Hoosier Engineering Company, and Wallace O. Lee, Indianapolis Power and Light Company official.

For the time being Negley was free of legal threats. The only suit of the number in the majority of legal threats remaining on file is that of Joseph L. Hogue in Circuit Court, directed against Ira M. Holmes, who has withdrawn as a contender, and John L. Duvall, who resigned as mayor.

Hogue Makes Claims Hogue contends that Duvall was not legally elected, that Samuel Lewis Shank should have continued as mayor through this administration, and that upon Shank's recent death, he, Hogue should have become mayor.

Solon Carter, Hogue's attorney, said that no move to name a new defendant in this suit would be made until after the election of the permanent mayor.

It was indicated that the suit might not be pressed if a mayor, acceptable to most citizens, were elected.

Returns After 45 Years

CAMBRIDGE, Mass., Nov. 2.—Missing for forty-five years, William W. Draper has returned here to claim a share of the estate of his late mother, Mrs. Annie Draper.

'Diana'

Is an amazing, thriller serial. If you haven't started it, turn to Page 16 NOW!

SHUMAKER CASE CLASH IS NEAR

Watson and Robinson Will Be Witnesses.

A long-drawn-out battle of cross-questioning is expected Nov. 21, date for hearing witnesses on the motion of Attorney General Arthur L. Gilliom to increase the contempt sentence of Secretary E. S. Shumaker of the Indiana Anti-Saloon League.

Present punishment is a \$250 fine and sixty days at the State Farm. Order to hear witnesses was handed down by the court late Tuesday.

Gilliom, in filing for increased sentence, set forth that among the witnesses would be both Indiana United States Senators, James E. Watson and Arthur R. Robinson; Republican State Chairman Clyde A. Walb; Henry Lane Wilson, former ambassador to Mexico, and Editor Boyd Gurley of the Times.

The order points out that both sides may call witnesses. A conference of defense attorneys and Shumaker will be held today to determine whom they may call, according to James Bingham, Sr., chief counsel.

Plea for sentence extension will be based on the charge that Shumaker sought to influence the court through politics while his contempt case was pending.

HUGHES JOKES ABOUT BIG BILL'S CRUSADE

Study Shows No "Anti-Yank Poison" in Shakespeare, He Says.

NEW YORK, Nov. 2.—Charles Evans Hughes, former Secretary of State, joked about the Chicago reaction to British propaganda at a dinner last night.

He said before he gave his support to the American Shakespeare foundation he had studied Shakespeare and found no trace of British propaganda in any of his plays.

A gift of \$500,000 from John D. Rockefeller Jr., was announced at the dinner given by the foundation to further its campaign for funds to rebuild the Shakespeare Memorial theater at Stratford-on-Avon, England.

PUSH NORRIS CANDIDACY

La Follette Progressives Back Nebraska Senator.

OSHKOSH, Wis., Nov. 2.—Senator George W. Norris of Nebraska today had the endorsement of La Follette Progressive Republicans in the Sixth Congressional District for President of the United States.

Herman L. Ekern, former attorney general, who was defeated in the primary last year by Governor Fred R. Zimmerman, was endorsed for Governor.

LABOR GAINS IN VOTE

Britain Party Captures Seats in Municipal Councils.

LONDON, Nov. 2.—Although final returns were not available, continuation of heavy Labor party gains in nation-wide municipal elections was indicated today.

At the last report Labor candidates had made a net gain of 116 seats on various municipal councils that govern towns. Conservatives had lost around 70. No party but Labor had gained.

Liberal and Conservative newspapers today expressed surprise at the extent of Labor gains, but minimized their importance.

HANGS SELF IN STABLE

Body of Frankfurt Man Found in Fairgrounds Barn.

The body of Otto Dice, 57, Frankfurt, was found hanging in the State Fairground horse barns today by Edward McCassey, 1808 N. Illinois St.

McCassey said he gave Dice permission to sleep in the barn last night. Dice's wife, he said, was suing Dice for divorce.

BOY DIES OF LOCKJAW

Tetanus Follows Hockey Stick Cut of Oct. 22.

Merwin Muncie, 11, son of Mr. and Mrs. Elmer Muncie, of Brazil, died at Riley Hospital Tuesday of lockjaw which developed from a severe cut on the nose.

The boy was struck with a hockey stick while playing near his home, Oct. 22. At first the injury appeared to be only a little cut. Tetanus developed Friday. The body was taken to Brazil.

You will have to hurry to have your Ad included in the new directory. There is still time, but don't delay. Forms close Nov. 10. Call MAIN 9860. INDIANA BELL TELEPHONE COMPANY.—Adv.

HOLD FUGITIVE BLAMED FOR 2 BANK CRASHES

Arrest Henry Steinbrenner in Seattle on Charge of Mail Fraud.

NATIONAL SEARCH ENDS Deals Alleged to Have Lost State Institutions More Than \$350,000.

Efforts to remove Henry G. Steinbrenner, accused of participating in the wrecking of two Indiana banks involving losses of \$410,000 to Indianapolis for trial Nov. 29, were begun today by federal authorities, following his capture in Seattle, Wash., Tuesday.

Department of justice agents and postoffice inspectors have conducted a national search for Steinbrenner since he was indicted here several months ago.

Held for Mail Fraud

Steinbrenner, charged with using mails in a scheme to defraud, said he believed his troubles were due to some transaction his secretary had made in his name, according to a Seattle dispatch.

He was released under \$5,000 bond and went to Tacoma, Wash., to attend a lumberman's convention. He said he would return to Cleveland, Ohio, where he is vice president of the Brown Hoist Company.

Postoffice inspectors had a different story to tell about Steinbrenner's transactions.

Five Others Indicted

He was indicted with S. Homer Federman, secretary of the Steinbrenner Rubber Company of Noblesville; Walter W. Bray, assistant cashier, and Newton W. Cowgill, cashier of the First National Bank of Noblesville; E. B. Ayres, president and E. T. Ayres, cashier, of the Huntington County State Bank of Huntington.

The five besides Steinbrenner have pleaded not guilty and go on trial Nov. 29 before Judge Robert C. Baltzell.

Loss More Than \$350,000

Postal inspectors charge that Steinbrenner bought what was left of the old Burdick Rubber Company at Noblesville practically by assuming the liabilities. They charge that he kept this concern afloat by kiting checks through the two Indiana banks, ultimately resulting in their failure and in the defrauding of the Guardian National Bank of Chicago, which held some of the checks, of \$55,000.

The postal inspectors say that the Noblesville bank lost \$110,000 and the Huntington bank \$245,000 in the transactions.

TALK SCHOOL BOARD

Changes in Election Method Are Suggested.

Three suggested plans for changing election of school board members in Indianapolis were considered by the Chamber of Commerce education committee at a luncheon today.

The plans, as submitted in a sub-committee report, were: First, a board of nine members with six-year terms, three new members to be elected every two years; second, a board of nine members appointed by judges of the Circuit, Criminal, Superior and Probate Courts, six-year terms, three members being appointed every two years; third, a board of five members serving five years with the county judges appointing one new member each year.

The sub-committee preparing the report is composed of James W. Putnam, chairman; Miss Elizabeth Rainey, Harry O. Garman, G. A. Millett and Miss M. E. Hoagland.

Suit Looms Over Hot Dog Trade

FREEDPORT, N. Y., Nov. 2.—Adolph Deutsch, landlord, stocked frankfurters as part of his delicatessen trade and Nick Bouloukis, tenant, who long has sold hot dogs exclusively, threatens suit.

PLEAD RIGHT TO KILL

Nurse Tried for Giving Poison to Mother in Agony.

LONDON, Nov. 2.—The second "right to kill" case within two weeks has come before an English court with the arraignment at Tonbridge of Mrs. Margaret B. Delvigne, 34, a war time nurse.

She is charged with maliciously administering arsenic to her mother, Mrs. S. M. Waite, wife of one of the largest hog growers in Kent.

According to police Mrs. Delvigne confessed she gave the arsenic "to save my mother weeks of agony she otherwise would have suffered before dying of malignant cancer of the liver."

"I am sure I have done the right thing," she said.

At Last the Old Pay Check Is Here



CONTINUE QUIZ ON CITY HALL

More Witnesses Called by Grand Jurors.

The grand jury today continued its probe of city council activities, hearing more members of the official family of former Mayor John L. Duvall.

Miss Pearl Nichols, Duvall's stenographer while he was mayor, was one of the witnesses. Others were William C. Buser, Duvall's brother-in-law and former city controller; Claude McCoy, board of safety secretary; Police Sergeant Arthur Reeves, who served as Duvall's chauffeur while Duvall was mayor; Police Mayor Lewis Johnson, and Jesse McClure, city recreation director.

The jury was unable to hear Buser and McClure this morning and they were ordered back to be questioned in the afternoon.

Duvall was a witness for the second time Tuesday. He was followed by John J. Collins, city purchasing agent. During the Tuesday afternoon session, Claude F. Johnson, former police chief and city controller, and Orville Scott, city assessment bureau clerk, were witnesses.

Duvall was with the jury an hour and forty-five minutes Tuesday and an hour and a half Monday.

TWO HURT BY AUTOS

Pair Sent to Jail on Drunk Driving Charge.

Two injured and two jailed was the balance struck after Tuesday night's traffic accidents and police interference with drunken driving.

Frank Curtis, 70, Negro, of 2205 Martindale Ave., leaving a safety zone at California and Washington Sts., was struck by an auto driven by Robert Zolz, 34, of 2325 Shelby St.

Carl Bartlow, 28, of 4534 E. Tenth St., was taken to city hospital with severe head injuries suffered when his truck struck a stone bridge abutment on N. Emerson Ave.

Herbert Nelson, 55, of Austin, Ind., was charged with driving while intoxicated and his brother Fred Nelson, 33, of 403 N. Liberty St., with intoxication when their car plunged into a ditch at Kessler Blvd. and Lafayette Rd.

FREE SOVIET AID'S WIFE

Mme. Borodin Reaches Moscow After Release in China.

MOSCOW, Nov. 2.—Mme. Borodin, wife of Jacob Borodin, former Russian communist advisor to the Chinese Nationalists, arrived here today following her release by the northern Chinese government, which has held her at Pekin.

FROST DUE TONIGHT

Heaviest 'Sting' of Fall Is Predicted.

A heavy frost is predicted for Indianapolis and vicinity tonight. Although the frost will not be heavy enough to be classified as "killing," it probably will be the heaviest so far this fall and will kill all susceptible vegetation in open places and particularly will be damaging to flowers, according to J. H. Armstrong, United States Weather Bureau head.

Temperatures today were 12 to 15 degrees lower than those of Tuesday, although today's 7 a. m. temperature of 42 degrees still was 2 degrees above normal.

The first rainfall here since Oct. 13, 27 of an inch, fell during the night.

JUDGE ORDERS MISTRIAL IN TEAPOT DOME CASE, AFTER JURY TAMPERING CHARGES

Grand Jurors Immediately Start Probe; Suspected Member of Panel Called to Explain Boast of "Reward."

ALLEGED SINCLAIR HIRED "SHADOWS"

Raid on Burns Agency Reveals Jurors Were Trained; Government Will Ask January Resumption of Hearings.

By United Press

WASHINGTON, Nov. 2.—The Fall-Sinclair Teapot Dome conspiracy trial crashed today, when Justice Frederick Siddons declared a mistrial.

Government attorneys thereupon began a move for January retrial, while a grand jury summoned before it members of the jury to investigate sensational charges of jury tampering.

The first juror to appear before the grand jury was Edward J. Kidwell, leather worker, whose alleged remarks about expecting a car "as long as this block" in event of acquittal, had started the investigation into the alleged jury tampering.

On the heels of the Kidwell revelations had come a raid on Burns' detective headquarters here, which allegedly revealed a serious espionage system against all but one juror. The two incidents caused the mistrial.

Kidwell, in the forty minutes elapsing between dismissal of the Fall-Sinclair jury and his summons to the grand jury, denied he had made the statement attributed to him. He had been pictured as praising Harry F. Sinclair, millionaire oil defendant, for his "democratic" ways.

In going before the grand jury, Kidwell waived his constitutional immunity. This meant apparently that he was ready to tell all concerning his version of the alleged "big car" incident.

He had charged to newspaper reporters that J. R. Akers and Don King, reporter, had tried to draw him out, but that he had not made the remarks sworn to in their affidavits.

The tip of Akers, street car conductor to King had started the investigation of the jury tampering.

Others to Face Jury Meantime, other jurors who probably will face the grand jury tomorrow, told Owen J. Roberts, Government counsel, through their spokesman, Conrad J. Herzog, that they were innocent of any misconduct; had followed faithfully the judge's instructions concerning silence on the case; and were grieved that even a shadow of suspicion might fall upon them.

Roberts assured them that he felt they were intelligent and honest jurors, and that only two of the twelve were under investigation. Herzog, an automobile sales manager, said his colleagues on the jury wanted vindication before the public.

In opening the court, Justice Siddons read his decision for a mistrial. He pointed out to Kidwell that certain statements affecting him were contained among the affidavits submitted by attorneys for the Government.

Publicity Brings Action He added that both sides joined in seeking a mistrial, he suggested, was the more necessary since the affair had had such widespread publicity.

"The court," he said, "agrees that the matter is one of grave concern in the administration of justice in this case."

Kidwell was withdrawn from the jury—the technical method of achieving a mistrial.

Roberts announced he would try later today to get Siddons to set a new date for the trial. The trial date may be set for January.

The abrupt end of the proceedings brought no relief from the expectant and tense atmosphere which had pervaded the courtroom since Sunday, when a raid on Burns' detective headquarters disclosed that fifteen or sixteen detectives were following jurors and making hour by hour reports on their activities.

Kidwell Is Warned Kidwell, a young leather worker, of slight build and dark complexion, was warned when he entered the grand jury room that he could obtain immunity from talking on the grounds that his testimony might incriminate him.

The warning was made by Neil Burkshaw, the youthful assistant United States district attorney, who unearthed the evidence leading up to the Burns detective raid.

Kidwell, however, waived immunity and was reported to be talking freely before the grand jury.

The grand jury, according to reports at the courthouse, has received extensive evidence of the activities of the Burns operatives, who made their reports to an official of the Sinclair Exploration Company, in addition to the affidavits of Burkshaw and another attorney disclosing the facts of the raid. Burkshaw's affidavit already has charged that the multi-

millionaire defendant was the real employer of the Burns men.

Immediately after court adjourned Conrad J. Herzog, 56, juror and automobile sales manager, stepped up to Roberts.

"Eleven of us on the jury feel we have been placed under a serious cloud in this matter and that something ought to be done to vindicate use," Herzog said.

"We have no question about ten out of the twelve," Roberts replied. "We think you are an intelligent body and that you seriously have undertaken your responsibilities, and this jury is going to be vindicated."

"But some disgraceful things have happened, and we want your help, Mr. Herzog, in getting at the bottom of it. You are one of the most responsible men on this jury and you can be of great assistance."

Jury Feels Grieved "The jury felt very badly about this," Herzog said, "and asked me to say something. Only last night a lady told me she had read that detective following us and it looked very bad."

"The Government has not sent a plugged nickel to watch you people," Roberts said. "When you were told by the court not to read about this case or to discuss it, we took you at par."

"I can say that I did not," Herzog said.

"We hadn't the slightest notion that the town was plastered with people chasing you around," Roberts said.

Kidwell later denied to reporters he had made the statements attributed to him in the affidavit.

"I never said a word about Sinclair or an automobile, although they're trying to lead me to lead me on," he told reporters.

King and Akers, Kidwell said, tried to get him drunk last Saturday, when, according to the affidavits, they heard him talking about the case on which he was sitting in judgment.

Admits Drinking Kidwell admitted he drank with the two.

"The mild tone of Justice Siddons' decision discharging the jury and ordering a mistrial, surprised Prosecution Chief Roberts, who said he expected the judge to emphasize more the gravity of the charges."

Justice Siddons addressed the jurors as soon as they were seated.

"I think it but fair to the other members of the panel for the court to say to Juror Kidwell that among the affidavits are certain statements. I call your attention to the existence of these affidavits."

"They are open to inspection to you or any one else. I am not asking you, Mr. Kidwell, to make any statement at this time, but am calling your attention to the affidavits."

Judgment Unanimous "Unanimous judgment was expressed by counsel on both sides regarding the action that should be taken in this case. There was no dissenting view expressed to the statements that a mistrial should be declared and the jury be dismissed."

"Wide publicity has been given to the affidavits and the proceedings in chambers concerning them. This constitutes an additional reason for the action the court is about to take."

"The court agrees that the matter is one of grave concern to the administration of justice in this case. The precise mode of dismissing the case is not important."

"So I think I will withdraw the juror and dismiss the jury. Ladies and gentlemen, your services in this case has terminated, and you are excused finally."

Albert B. Fall declared in a statement today that he was "deeply disappointed" by the situation resulting in a mistrial in the oil conspiracy case against him and Harry F. Sinclair, but said Justice Siddons obviously took the right course.