



The Indianapolis Times

HOME

Generally fair tonight and Saturday; not much change in temperature, lowest tonight 30 to 35 degrees.

SCRIPPS-HOWARD

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PREDICT BRIEF MARINE DRIVE ON SANDINO

Officials Believe Show of Strength May Chase Foe Over Border.

TEST EXPECTED SOON

Liberal Leader Boasts in Letter He Never Will Be Taken Alive.

SITUATION IN BRIEF
War and politics forgotten in Managua when Lindbergh arrives and receives great demonstration. Marines at Quilali reinforced by 120 men in machine gun detachment and are believed ready for final test with Sandino. Sandino boasts in letter to friend he will never be taken alive but will blow himself up with five tons of dynamite. Washington officials express confidence Sandino will be crushed soon.

By CARL D. GROAT
WASHINGTON, Jan. 6.—Reports to the Government here today indicated that the Nicaragua situation is "well in hand."

With the marine reinforcements under orders to proceed to Nicaragua next week from three ports, officials indicated their belief that the troubles arising from conflicts between United States Marines and General Sandino, Nicaraguan revolutionary, will be ended soon.

The marine campaign to eliminate Sandino and his followers is generally predicted, probably will be short-lived.

Some authorities here even foresee that Sandino's men, once they realize the strength of the force mobilized against them, largely will vanish over the Honduran border, thereby ending for a time at least the last of the revolutionary activity.

Cabinet Will Meet
The Cabinet was called for this forenoon, but it appeared unlikely that the Nicaraguan question would come up for any extensive discussion.

The Senate was in recess until Monday, so attacks from opponents of the Administration policy were stilled in that quarter temporarily. Thursday afternoon, Senator Bingham (Rep.), Connecticut, defended the Government's course in Nicaragua, saying it would be impossible for Marines to withdraw now.

Senator Norris (Rep.), Nebraska, countered with the claim that the United States could not properly intervene in Ireland, since political parties there also are at loggerheads.

Senator Hefflin (Dem.), Alabama, whose favorite themes for debate are the Catholic hierarchy and Wall Street, blamed both these institutions for some of the Nicaraguan bloodshed.

Meantime, the House during the afternoon saw a flurry of attack and defense of the Administration's Nicaraguan policy.

Government Hopeful
But the general indications were that Congress is still disinclined to act for an investigation of the Nicaraguan situation. The general tendency is to hold that little can be done about withdrawals of Marines for the present. The United States is under agreement to supervise fair elections in Nicaragua this year, and the elimination of the Sandino revolutionary activity—some here term it "banditry"—is regarded by many as necessary to such supervision.

Notwithstanding the present acute situation in Nicaragua, arising from conflicts between the United States Marines and the Sandino forces, the Nicaraguan government is reported hopeful for an early resumption of orderly and stable conditions.

Nicaraguan government officials admit frankly they do not know the present strength of the Sandino force, but say that the majority sentiment of Nicaragua is against his activities, which can only continue in remote regions of sparse population.

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Durant Joins in Motor War; Fights Ford in Low-Price Line

NEW YORK, Jan. 6.—W. C. Durant today actively entered the contest for supremacy in the low-priced motor car field.

He announced a new Star model, to be shown for the first time at the New York automobile show tomorrow, and a new line of Durant sixes, also to be shown tomorrow. He has reduced prices on the Star so that, with one exception, all models will sell for the same as the corresponding Ford models.

By this announcement Durant, not only made the battle for leadership in the small car field a four-sided affair, but he unfolded something of what he had in mind last April, when he announced his active return to the automobile industry and promised important developments.

General Motors, with new Chevrolet, and Willys with the new low-priced Whippet, previously had challenged Ford, while Dodge in a slightly higher field,

this week, brought out its "Victory Six" to add to the generally spirited competition.

Durant's new Star has a long wheel base—107 inches—and entirely new body lines. There are four models, as follows:

Roadster, \$495; coupe, \$495; two-door sedan, \$495; four-door sedan, \$570.

The changes which have been made are directed toward comfort and beauty and include improved upholstery and interior design; wide doors and improved finish.

The new line of Durant sixes is priced from \$795 to \$1,550 and covers three chassis sizes—wheel base of 107, 110 and 119 inches. Much emphasis has been placed upon the coach work. The radiator design is long, thin and high, giving the car a unique appearance.

The motor is built for high speed, eighty miles an hour being suggested in the advance announcements.

The Hupp Motor Car Corporation announced prices on its new line "Century Eights" today. The car will sell at from \$1,825 to \$1,955 and is made in seven models.

While it does not affect the low-priced field, the coming of this car is expected to have a decided effect on the higher priced lines.

STEPHENSON OPENS FIGHT FOR NEW MURDER TRIAL

Based on the plea that fear kept D. C. Stephenson from testifying in his own behalf when he was convicted of murder at Noblesville in 1925, another fight will be waged to gain Stephenson a new trial.

Attorney Olin R. Holt of Kokomo announced today.

The new move will be filing of a petition for a writ of error, coram nobis, in the trial court at Noblesville.

The petition for a writ of error, coram nobis, is an old common law action, Holt declared, which has been used only two or three times in Indiana, but which has been recognized by Indiana courts.

"The petition will be based on the contention that Stephenson, owing to the sentiment and prejudice against him at the time, was prevented from taking the stand to establish his own innocence through fear and duress," Holt stated.

A number of affidavits will be filed to support the petition, he said.

Certified copies of a number of resolutions condemning Stephenson adopted by various women's and civic organizations will be included, he said.

Record of a rebuke of Judge Fred Hines to Special Prosecutor Charles E. Cox for an alleged statement of Cox that if he were a relative of Judge Oberholzer, the Indianapolis girl, for whose death Stephenson was sent to Indiana State prison for life, there would be no need to invoke man-made law against Stephenson, also will be offered, Holt said.

Cox made the statement, according to Holt, at a hearing on

Stephenson's motion to be admitted to bail before Judge Will M. Sparks of Noblesville was named special judge of the murder case.

The trial judge, Sparks, will rule on the new petition, Holt said.

According to Holt, if the writ of error is granted Stephenson, he automatically is granted a new trial at Noblesville and his conviction and

appeal to the Supreme Court will be set aside.

If the petition is denied, however, the refusal has no effect on the appeal. The petition likely will be filed next week, Holt said.

He was retained by Stephenson to act in the filing of the new petition, and not for any other matters, Holt said.

JACKSON LAUNCHES NEW JUDGE FIGHT

Prosecution Ready to Battle Attempt to Keep Out Montgomery.

Whether Governor Ed Jackson, George V. Coffin, Republican chairman, and Attorney Robert I. Marsh can seek a change of judge today became a new issue in the prosecution of the trial on charges of attempting to corrupt former Governor Warren T. McCray.

Special Judge Oscar H. Montgomery of Seymour sent word through Criminal Judge James A. Collins that he would be here at 2 p. m. Monday to entertain a motion for the change of judge which defense attorneys have announced they would file.

Judge Montgomery indicated that if the motion is in proper form, and he does not find the time limit for presenting it has expired, he will grant it.

Special Prosecutor Emsley W. Johnson declared the prosecution would resist the move to change judge again. Montgomery is the second judge in the case, Judge Collins having disqualified himself after the indictments were returned.

State to File Brief
Johnson said the State would file a brief Monday contending that the defense cannot seek a further change in judge, because it participated in selection of Montgomery after Collins disqualified himself, thereby exhausting the one change of venue the law allows.

The defense, it is understood, will contend that it did not ask Collins to step aside and had nothing to do with causing the first judge change. Thereby it is entitled to its motion for change of venue now.

The question of whether Judge Montgomery or Collins shall submit a list of three judges from which a new judge would be chosen, in the event the motion for the change is entertained, is expected to arise Monday. Attorneys are searching for precedents to settle this.

Against Trial Delay
Attorney Clyde Jones of defense counsel said the motion for change of judge was being filed now so that it would not delay the trial, set for Feb. 7.

Prosecutor William R. Remy, Jr., commented that the motion hardly could be filed after the trial started, the law providing that it must be filed before.

Prosecutors viewed the defense announcement as a move to delay the trial, despite Jones' declaration. The motion will allege that Montgomery is biased and prejudiced to such extent it will be impossible for the defendants to obtain a fair and impartial trial, Jones said.

Hourly Temperatures
6 a. m. 34 10 a. m. 40
7 a. m. 33 11 a. m. 43
8 a. m. 33 12 (noon) 46
9 a. m. 36

BLAST TAKES TOLL

Heavy Damage Reported in Powder Mill Disaster.

VALLEY FALLS, N. Y., Jan. 6.—Explosions today took place in two mills of the Hercules Powder Company here, doing heavy damage.

First reports indicated no one was killed.

COUNTY TO ASK LOAN
Final action on a \$350,000 request to be taken Saturday.

Final action on a request for a \$350,000 temporary loan to pay current county debts pending collection of the spring tax installment will be taken Saturday morning by the county council. The appropriation request was submitted to councilmen by County Auditor Harry Dunn today.

Council also was asked to make the following other appropriations: Salaries and supplies for collecting horizontal tax refund data, \$4,600; garage repairs, \$125; linoleum for the new municipal courtrooms, \$1,400, and electrical fixtures for four court rooms, \$600.

LINDY BRINGS PEACE SPIRIT TO NICARAGUA

Crowd Exceeding 40,000 Is Present When Air Hero Lands in Managua.

'STUNTS' FOR THROG

Flowers Strewn in Path as Flier Goes to Mansion of President.

By United Press
MANAGUA, Nicaragua, Jan. 6.—The political troubles of strife-torn Nicaragua were forgotten today as the population united to honor Col. Charles A. Lindbergh and, through him, express friendship for the United States.

The ringing of bells, blowing of horns, tossing of flowers and enthusiastic cheering, with firecrackers exploding intermittently, showed the spirit of the people in this picturesque Central American capital.

Lindbergh, after skirting the region where United States Marines and Sandino rebels are in conflict, arrived from Tegucigalpa, Honduras, at 2:25 p. m. yesterday. He made the trip, about 225 miles, in two hours and thirty-four minutes.

Crowd of 40,000 Present
A crowd of 40,000 to 50,000 greeted him on the flying field, two miles east of the city. He thrilled them by zooming sharply upward for 1,000 feet after he had approached within 100 feet of the ground, then circled and made a typical Lindbergh landing, lightly as a feather.

The band played the "Star-Spangled Banner" and the crowd went wild.

Lindbergh was driven to the presidential mansion through streets lined with people. School children along the route sang songs of welcome and threw flowers in his path, while cries of "Hurrah for Lindbergh" and "Hurrah for Coolidge," were heard.

Makes Brief Speech
At the presidential mansion, he made one of the shortest speeches on record.

"I appreciate the welcome, thanks," he said.

Lindbergh will remain until tomorrow, when he will start for San Jose, Costa Rica, the sixth stage of his Central American tour. The distance is 210 miles and he is expected to start early in the day.

PLAN SYMONS' CASE
Bank Chief Asked Receiver, Defense to Show.

Defense of Luther F. Symons, State bank commissioner, and Thomas Barr, assistant, on the charges of neglect of duty in connection with the crash of the American Trust Company Bank at Kokomo will be that they complied with the law by asking appointment of receivers for the bank as soon as they knew it was in an unsound condition, it was indicated today.

Symons received an opinion from Attorney General Arthur L. Gilliom, which he had requested, that the 1921 statute repeals an 1893 statute governing what course the State banking department should take in regard to an unsound bank.

The 1921 act provides the State officials should ask for a receiver while the 1893 act requires the State officials to report the matter to the prosecutor.

Tanks and Oil Burn
PETERSBURG, Ind., Jan. 6.—Four tanks and 800 barrels of oil were destroyed by fire on the Henry J. Wiggs lease on Patoka township, due to efforts of a small boy to thaw out a pipe line.

Boy, 9, Leaves Home
Raymond Hilton, 9, of 1129 Fowler St., went to school today and didn't return. His father asked police to search for him. He was wearing a white stocking cap, dark brown striped Mackinaw, gray trousers and black shoes and stockings.

Indiana Mine Strike Ends
TERRE HAUTE, Ind., Jan. 6.—Work will be resumed Saturday at all three mines involved in the strike over "lost coal" here, according to word from Indianapolis, received by long distance telephone at mine headquarters here today.

FLIER ACCUSED IN THEFT OF PLANE
By United Press
RICHMOND, Ind., Jan. 6.—Steve Lacey, flier and aviation instructor at the Hinckley School of Aviation, Hinckley, Ill., is sought on a Federal warrant said to be the first ever issued on a charge on interstate transportation of a stolen airplane.

It is charged that Lacey stole a plane from Richmond, Ind., property of the Waco Airplane Company, and flew it to Galesburg, Ill., on July 14, last.

Attendants at the Hinckley field told officers, who sought to serve the warrant, that Lacey is now in New York preparing for a non-stop flight over the Gulf stream with a point in South America as his destination.

Necklace Found in Waste Basket
CHICAGO, Jan. 6.—A \$10,000 pearl necklace, left by Mrs. William C. Hubbard in a millinery shop, fell into a waste basket and remained there while police questioned patrons and employees. It was found twenty-four hours later.

First New Year Twins



Richard Henry (left) and Robert Allen Buckler are Marion County's first 1928 twins. They were born Wednesday at the home of their parents, Mr. and Mrs. Ivan Buckler, 1321 Eugene St. They are shown with their mother.

YOUTH SEES HIS LAST DAY DAWN

Floyd Hewitt, 17, Slayer, to Die in Ohio Chair.

By United Press
OHIO STATE PENITENTIARY, COLUMBUS, Ohio, Jan. 6.—Floyd Hewitt, 17-year-old boy who murdered a woman and her small son at Cnneaut, Ohio, last year, saw his last day of life dawn today.

The youth who beat Mrs. Fred Brown and her son, Fred Jr. to death with a poker and a baseball bat, will be electrocuted after sundown.

Warden P. E. Thomas intimated the boy would be strapped in the chair about 7 p. m. shortly after he partakes of a friend chicken dinner and other delicacies that compose a condemned man's last meal.

Hewitt's fate was determined yesterday, when the State board of clemency refused to recommend the extension of the executive clemency.

Governor Donahay, out of the city, instructed his office before his departure that he would abide by the board's recommendations.

CITY MAY BUY BUTLER SITE

Old University Location Proposed for Schools.

A proposal to sell the buildings and campus of Butler University in Irvington to the city as a site for grade and high schools was to be transmitted to the school board by President Theodore F. Vonnegut late this afternoon.

Irvington has been demanding a far east side high school for several years.

The Butler trustees offer to turn the college property over to the school board when the new Butler buildings at Fairview are ready upon these terms:

Lease the main campus buildings and grounds to the city for a fair rental, with option to purchase at a price to be fixed by competent appraisers.

If the city makes such a deal the college will give free to the city the ground and equipment of the athletic field and gymnasium and the building and ground of the Bernard Thompson library.

REMUS LOSES NEW FIGHT ON SENTENCE

Judge Refuses Writ, Giving State Right Now to Commit Prisoner.

By United Press
CINCINNATI, Jan. 6.—Common Pleas Judge Charles Bell today denied the petition of George Remus, former millionaire bootlegger, for a writ of habeas corpus which temporarily would have prevented his commitment to the Lima State Hospital for the criminally insane.

Remus, found not guilty of murdering his wife, Imogene, on "the sole grounds of insanity," was ordered committed to Lima by Probate Judge William H. Lueders, who held he was "sane, but is too dangerous to be at large."

Under the ruling of Judge Bell, Remus loses his last chance for freedom except through appeals to the higher courts. He now is subject to removal to the asylum.

In announcing his decision, Judge Bell said "that when a man is acquitted on the ground of insanity, it is within the rights of the probate court to send him to an asylum for the insane."

The State does not have to prove Remus insane, Judge Bell added. It was up to Remus to prove he was sane, the court said, "and if he failed to do this to the satisfaction of the probate court, that settles it."

Noses Knew

By Times Special
COLUMBIA CITY, Ind., Jan. 6.—The onion mystery of the Whitley Circuit court room here has been solved. An investigation following several days whiffing of onion odor revealed that a tunnel through which heating pipes enter the building was connected with a structure being used as an onion store house.

CITY JUDGES CHANGE
Cameron on White's Bench; May Be Permanent.

Possibility of one Democratic and one Republican judge sitting on the municipal benches at the police station, where all arrested are first arraigned, loomed today when newly appointed Judge C. R. Cameron, Democrat, took the bench in Court Three of Municipal Judge Dan V. White, Republican.

Governor Jackson appointed Cameron to the two-year unfinished term in Court One to succeed Judge Thomas E. Garvin, who resigned to accept a four-year appointment to Court Two. The bench in Court Two was made vacant when Judge Fred McCallister killed himself last week.

White may take the Court One and leave Cameron his successor in trying police cases, it was said. The other judge doing this work is Paul C. Wetter, Republican. Courts One and Two are at the courthouse and deal with civil cases largely.

JUDGE ALLOWS BAIL
Harry Pilz to Be Freed Pending Trial for Murder.

Harry Pilz, 923 S. Illinois St., in the county jail for the fatal shooting of Samuel Fasman, 805 S. Illinois St., two weeks ago, was admitted to \$25,000 bond today by Criminal Judge James A. Collins.

Pilz was bound over to the grand jury on a first degree murder charge.

Attorney Ira Holmes said friends of Pilz will provide bail.

During the hearing on the petition to let Pilz to bail, evidence showed Fasman was shot while interceding between Pilz and a man with whom he was arguing.

RUTH SNYDER PLEA WILL GO TO HIGH COURT

Counsel Paves Way for Move at Last Minute for Execution Stay.

INSURANCE SUIT BASIS

Jury Trial Asked; Seek to Save Murderess for Case Witness.

By United Press
NEW YORK, Jan. 6.—Counsel for Mrs. Ruth Snyder today paved the way for a last minute petition in Supreme Court for a stay of execution designed to delay the scheduled electrocution of the murderess next Thursday night.

The unexpected move came in a stipulation arranged by Edgar P. Hazelton, her chief counsel, with an attorney for the Prudential Insurance Company, which is seeking cancellation of policies aggregating \$85,000 on the life of Albert Snyder, who was slain by his wife and her lover, Judd Gray.

Hazelton has applied for a jury trial of the Prudential's suit. The stipulation, filed quietly with the Supreme Court clerk, adjourns argument on the application for a jury trial until Jan. 13. Mrs. Snyder and Gray are condemned to die during the week of Jan. 9. The accepted date is the night of Jan. 12.

Hazelton now is prepared to go before Supreme Court Justice Levy and ask for a stay of execution on the ground that if a jury trial is granted in the Prudential's suit, Mrs. Snyder will be a material witness.

Ruth Fears as Two Die
OSSINING, N. Y., Jan. 6.—Mrs. Ruth Snyder entered what probably will be the seventh remaining day of her life after a night of fear, during which two men were electrocuted in the death chamber close to her solitary cell.

Charles Doran and Louis Mason, murderers, were electrocuted. Mrs. Snyder and Henry Judd Gray, her lover, who joined her in killing her husband, are next on the list, due to go to the same chair next Thursday night.

Although there was no sound and no word of the Doran and Mason executions, Mrs. Snyder and Gray, as well as every other "wakeup" inmate, were aware of the second the powerful current was turned on that ended the men's lives.

Corridor Lights Grow Dimmer
In their dark cells they watched the dim corridor lights grow dimmer when the electricity required for the chair drank up the current.

Prison officials are strict at such times, and there was no way of learning how Mrs. Snyder acted during the executions.

Doran had been denied clemency, shortly after the hearing in Albany Thursday, at which Governor Al Smith had listened with an air that seemed to spell doom to pleas for clemency for Mrs. Snyder and Gray.

Doran, only 21, went to the chair first. He was convicted of murder during a holdup in Albany. He was accompanied to the chair by the Rev. John P. McCaffrey, Catholic chaplain. Doran was wooden and expressionless as he looked around the room before being strapped into the chair.

"Good by, M'm," said Gray to the two condemned men earlier in the day, although Mrs. Snyder was spared the ordeal of even seeing them.

They were marched past Gray's cell in the men's corridor on their way to the prison barber to be shaved for the death chair.

Gray reached his hands through the cell door and said emotionally: "Good-by, Good-by."

The only comment heard from Mrs. Snyder was when she remarked to a matron: "Two more going and no hope, apparently."

Slight Hope for Clemency
ALBANY, N. Y., Jan. 6.—Only the slimmest hope existed today that Governor Al Smith would extend clemency to Mrs. Ruth Snyder and Henry Judd Gray and commute the death sentences of the pair to life imprisonment.

Refusal of the Governor to consider the mental condition of the two as asked by the attorneys, particularly Edgar P. Hazelton, representing Mrs. Snyder, and a few minutes' declaration that he must enforce the law, indicated very strongly that he would not commute the sentences.

The Governor had the arguments under advisement today and will determine whether he missed any of the points made by the defense counsel at Thursday's clemency hearing.

No decision will be made by the chief executive before early next week, and it is possible that he may not make any announcement if he decides to let the law take its course.

Last Message From Submarine Tomb Bared

BY ALFRED P. RECK
United Press Staff Correspondent
WASHINGTON, Jan. 6.—A message from the dead—the complete log of signals sent and received from the S-4—has been made public by the Navy Department.

Hammer knocks that echoed out of the chill, black waters, 100 feet below the surface of the sea off Provincetown, Mass., showed that life was sustained in the torpedo room of the submarine seventy-four hours and fifty-three minutes—slightly more than three days—after the S-4 was sent to the bottom by the coast guard cutter Paulding on Dec. 17.

There were knocks—metal against metal, steel hammer against the steel side of the submersible—that ran the entire gamut of human emotions—hope, faith, courage, fear and death.

At first the six men trapped in the torpedo room had hope that they would be saved; they had faith in their comrades above, who were battling storm and freezing water to rescue them. Then the air became bad. Oxygen tubes became exhausted. Still the men held their courage.

In the suffocating darkness the six waited, tapping out questions and answers to the ships on the surface. icy water began to trickle into the compartment—a detail that had not been made public before.

Inch by inch it crept into the steel-lined tomb, feeling for the men with fingers of death. The six began to fear that any rescue would be too late.

Then listeners on the surface boats heard only the lapping of the waves in response to their messages. That was the end.