



# The Indianapolis Times

Fair and warmer tonight and Thursday; lowest temperature 35 to 40.

HOME

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## MOORE TO GO ON STAND IN OWN BEHALF

Defense Calls 15 Character Witnesses; Attack Story of Albertson.

JUDGE SLAPS WINKLER

Orders Attorney to Seat in Clash on Price Paid for Lot.

Fifteen character witnesses testified for City Councilman Boynton J. Moore in Criminal Court today as he opened his defense to the State's case that he accepted a \$100 bribe to vote against the impeachment of Mayor John L. Duval last August.

Moore will take the stand in his own defense, it was announced.

The councilman probably will be the last witness, his attorneys said.

Attack Albertson Story

First intimation of what the defense will be based on came when Fire Chief George O. Hutsell took the stand. Defense Attorney Ira M. Holmes used Hutsell to attack the probability of the story of Councilman O. Ray Albertson, whose testimony connected Moore with five bribery deals, including the one on which he is being tried.

A clash between Special Judge Paul G. Davis and Defense Attorney Henry H. Winkler took place shortly before the noon recess, sharp words being used by both the court and attorney.

After being ordered to take his seat, Winkler said:

Rebuke Counsel Objects

"I will abide by that ruling but before doing so I want to read into the record that the defense counsel objects to the ruling of the court that he take his seat without being given the opportunity to get into the record his offer of proof."

The differences arose over the admissibility of records of the court recorder showing that the \$3,000 figure set by Albertson as the amount he agreed to pay for a certain lot on W. Thirtieth St., which figured in one of the bribery deals, was not the figure named in the deed.

Connect Moore to Klan

Moore was connected with a bargain with the Ku-Klux Klan regarding city appointments for the first time today, and then the connection was merely by inference.

Special Assistant Prosecutor Emsley W. Johnson and Prosecutor William H. Remick cross-examined Charles M. Clark, 324 E. Quincy St., bookkeeper in the county treasurer's office.

Remy asked in effect "if it is not a matter of common knowledge and information that Boynton J. Moore, together with other councilmen, contracted in violation of the corrupt practices act of Indiana with members of the Marion County Klan No. 3 to the appointment of 85 per cent of municipal officers from the ranks of Klan No. 3, to abide by the policies of the Klan, and to accept its dictates to the exclusion of all others?"

Denies Klan Bargain

After argument over an objection by Holmes, which was overruled, Clark fairly shouted "No."

Other than Mr. Reid Keeler and Nackerhorst, character witnesses today were:

Gwynne P. Patterson, 2915 Washington Blvd., vice president of the Indiana National Bank; Charles M. Clark, bookkeeper in the county treasurer's office; Godfrey C. Mack, 1842 Orange St.; Mrs. Frances Higgins, 1124 Hopkins St.; Mrs. Margaret Unversaw, 1405 Winter St.; Mrs. Mary Brade, 1548 Villa Ave.; Walter H. Gray, city fireman, 509 N. Bosart St.; Homer Johnson, druggist, at 1415 Prospect St.; Leo P. Emmelman, president of the Em-Roe Sporting Goods Company; Fred Elyn, carpenter living near Moore on Spruce St.; Russell W. Cassidy, 1128 Shelby St.; and Harry B. Dynes, conciliator of the United States Department of Labor.

Armitage Sworn In

One defense witness sworn in as court opened was William H. Armitage, former political boss, whose testimony will be used to attempt to discredit former Mayor Duval's, it is believed.

The defense later Tuesday lost an attempt to obtain a technical acquittal for Moore.

Special Judge Paul G. Davis overruled the defense's motion for an instructed verdict of not guilty.

PRESS LICENSE DRIVE

Thirty-Nine Must Answer Charges in Municipal Court.

Police today continued their drive for persons failing to have 1928 city license tags and arrested thirty-nine for appearance in municipal courts.

City license inspector Otto Ray Tuesday, at police roll calls, pointed out that the city treasury did not contain money enough to pay the pay increase of \$119 a year awarded the police and firemen by a recent court decision. Thousands of dollars remain outstanding in unpaid license fees.

## Co-Ed Not Mail

By United Press

NORTHAMPTON, Mass., March 21.—Miss Elizabeth B. Patterson, Smith College student, sought to ship herself by air mail to her home in Santa Barbara, Cal., but the company refused to take her except as a passenger. She would have saved \$700 by becoming a "package."

## HIT JOHN D. AS PACT BREAKER

Oil King Led in Spurning Contract, Says Witness.

By United Press

WASHINGTON, March 21.—Companies controlled by John D. Rockefeller Jr. and Charles M. Schwab took the lead in breaking wage contracts with union miners in West Virginia, Van A. Bittner, United Mine Workers counsel, told the Senate coal investigating committee today.

He said the Bethlehem Mines Corporation, dominated by Schwab, and the Consolidation Coal Company, a Rockefeller concern, abrogated a Baltimore wage agreement in 1924 and 1925, shortly after it was consummated.

"These companies set the precedent for contract-breaking in West Virginia," Bittner said. "They tried to compete by cutting costs and taking the cut from the pockets of their miners."

Schwab and Rockefeller have been subpoenaed to appear before the committee later this week. They probably will be asked to explain why they disregarded the wage contract.

## MERCURY TO RISE

Real Spring Day Is Promised for Thursday.

Better get caught up on your work. Get a little ahead so, if possible, you won't have much to do Thursday.

For Thursday it should be a real spring day, says Weather Man J. H. Armstrong.

"It'll be warmer. May get up to 60 degrees in the afternoon. It will be a normal spring day, probably the kind which makes you want to get out of doors, and when you do get out of doors, puts a stick in your back, makes you want to lazy around," said Armstrong.

Today the mercury hadn't risen quite to normal spring marks. Today's 7 a. m. temperature of 34 was 5 degrees below normal.

## 35 MEXICANS KILLED

Federal Troops Ambush Gomez Loya and Rebel Band.

By United Press

MEXICO CITY, March 21.—Trapped in ambush thirty-five rebels, including their leader, Miguel Gomez Loya, were killed by Federal troops, according to a Guadalupe dispatch today to the Universal.

The Federal column was reported to be pursuing a priest, Pedros, who was said to be Gomez's right-hand man.

## WOULD BAR SINCLAIR

Maryland Protests Oil Man's Horses on American Tracks.

By United Press

BALTIMORE, Md., March 21.—The Maryland racing commission last night asked owners of the race tracks at Laurel, Pimlico, Havre De Grace and Bowie to bar horses of Harry F. Sinclair, indicted oil multimillionaire, because of his connection with the Teapot Dome oil case.

Sinclair's famous Ranocosa stable has been represented at all large American tracks, as well as at Ti-jana and Havana.

## 3 IOWANS DIE IN CRASH

Tourists Killed When Train Hit Auto.

By United Press

STANFORD, Ky., March 21.—Four of four persons driving from Savannah, Ga., to Lansing, Iowa, were killed here today when struck by a Louisville & Nashville railroad train.

## WINKLER TO TAKE QUIZ FOR NEW JOB

Although he failed in the examination requirements, demanded for his present position, George Winkler, deputy administrator here, announced today that he will take the examination for administrator of the newly created Twelfth district, consisting of Indiana and Ohio.

Prohibition headquarters at Washington has revealed that W. H. Walker, acting administrator for Ohio and Indiana, has been notified by the Civil Service Commission that he is ineligible for the permanent post. He has sixty days in which to appeal.

Winkler has asked for re-hearing

on his previous examination and his appeal has been supported by the Anti-Saloon League and other dry forces here.

Since the new position is one of greater responsibility, it is considered likely that the examination will be more difficult than the one in which Winkler failed.

According to United Press dispatches from Washington there have been few applications made for the Twelfth district examination, which is to be conducted by the civil service commission. All applications must be on file with the commission by April 17. The entrance salary is from \$2,000 to \$6,000 a year.

## COURT BATTLE LOOMS IN ROW ON CEMETERY

Steam Shovels Are Moved to Glen Haven to Start Excavation.

DENIES FORCING ACTION

Company Says Plans Demand Start; City Ready to Enforce Law.

A legal battle to determine whether the Glen Haven Cemetery Association can develop its cemetery on Kessler Blvd. across north from Broadmoor Country Club in the face of an ordinance prohibiting cemeteries adjacent to park property appeared imminent today.

The proposed cemetery has been a battleground ever since the first attempt to open it three years ago.

Begin Construction

The signs of a new fight appeared in the announcement of Merle N. A. Walker, attorney for the Glen Haven association, that a contractor was moving a steam shovel to the property and probably would begin excavation for the drainage system today. This will be the first actual construction work.

Upon hearing this, Corporation Counsel John W. Holtzman declared: "If there is any effort to do anything contrary to the city ordinance we shall proceed immediately to enforce the ordinance."

## Investigate Lot Sales

Meanwhile, the Michigan securities commission at Lansing, Mich., had before it the question of whether Glen Haven representatives should be stopped from selling founders' lots, sections of real estate in the cemetery, to Michigan citizens.

Michigan authorities have been told that the salesmen have sold about \$225,000 worth of the lots in that State. Bankers, automobile factory executives and other leading citizens have been among the purchasers.

The Michigan commission has been told that the Glen Haven salesmen have painted word pictures leading prospects to believe that the cemetery already is beautifully landscaped and that some bodies have been buried in it.

## Find Property in Waste

As the property actually stands today it is a dreary brown waste, the principal feature of which is a straggly orchard.

The only visible signs of "landscaping" are the ruins of the foundations of two small buildings which were moved from in front of the orchard.

Walker declared today that Michigan is not the only place that founders lots have been sold. They are being sold in Indiana, too, he said.

The founders lot idea, it is understood, was devised after the Indiana securities commission let it be known that it frowned upon the sale of securities because of the city ordinance.

## Claim Good Legal Basis

"We are satisfied we are on a good legal basis," said Walker. "There is no court order telling us not to begin work on the cemetery and with the weather such as it is this was a propitious time to start."

"We are not starting with the idea of forcing court action, but rather merely because our program has reached the point where building activity is called for."

"We do not believe the ordinance is valid, because Kessler Blvd. at this point is merely a country highway, far outside city limits, and that is a decision in favor of the city that the city cannot call a road a boulevard under such circumstances."

## Cite Crown Hill Case

"If Crown Hill can develop a new addition on Maple Rd., we cannot see what possible objection there is to establishing a cemetery out in the country with the closest building a country club and that a quarter of a mile away."

The cemetery's hectic history began when it became known as a Ku-Klux Klan backed proposition. The ordinance and the securities commission action blocked the project under its first name of Mt. Moriah Cemetery Association.

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## Name It!

By Times Special

PERU, Ind., March 21.—Here's a case of "name it and you can have it."

A "what is it?" fowl has been hatched at the farm of Mark Miller near here. Its father was a Plymouth Rock rooster and its mother a Madagascar guinea. The fowl, feminine gender, has Plymouth Rock feathers, a guinea bill and legs—and a bad disposition.

## APOLLO MOVIE HOUSE IS SOLD

Louisville Company Takes Over City Theater.

By United Press

Purchase of the lease on the Apollo theater from the Apollo Amusement Company by the Fourth Avenue Amusement Company of Louisville, Ky., was announced today by W. A. Brennan of the W. A. Brennan Realty Company, 428 Illinois Bldg., who negotiated the deal.

The theater, located at 17-19 N. Illinois St., will be opened under the new management the latter part of April, Fred J. Dolle, president of the Louisville company, announced. It will be closed for one week before the opening to permit complete redecoration and for installation of Vitaphone and Movie-Tone machinery.

It is understood the lease is for a long period. The theater has a forty-five-foot frontage on Illinois St. and 120-foot depth. It was erected six years ago. The ground is held by the Stegemeier Realty Company on one of the two earliest ninety-nine-year leases recorded in this city.

The Apollo Amusement Company consists of President Charles M. Olson, Vice President Jean Marks, Secretary-Treasurer Henry Stegemeier and Attorney Martin Hugg.

Officers of the Fourth Avenue Amusement Company are President Dolle, Vice President J. C. Murphy and Secretary-Treasurer D. H. Long. James Kennedy will remain as manager and the present staff will be largely retained.

The company has eighteen houses in Louisville and recently have opened the Grand in Terre Haute.

## YEAR TERM IN DEATH

Killer of Affinity Shown Leniency by Jury.

By United Press

RICHMOND, Va., March 21.—John Wesley Faison today prepared to spend at least eight months in prison for loving not too wisely.

The former manager of the Hermitage Country Club here was given a one-year term after a jury found him guilty of voluntary manslaughter in the death of his affinity, Mrs. Elsie Holt Snipes. But he can reduce this sentence four months by good behavior.

In passing sentence Judge Wells said the jury had been "exceedingly lenient," and voiced the hope that Faison would return to his wife and children "a better husband and father."

Faison was tried for the crime once before, but the jury was deadlocked and dismissed.

## U. S. MARSHAL NABS 11

Persons Indicted by Federal Grand Jury Arrested.

By United Press

Eleven persons indicted by the recent Federal grand jury were arrested today by S. T. Hickman, deputy United States marshal.

Among them were Arthur R. Owens, former assistant cashier of the Franklin National Bank, charged with false entries and abstracting approximately \$14,000, and Leonard F. Colglazier, "Terre Haute," charged with robbing the postoffice at Pimento, Vigo County, of \$65.

Others included Cecil Johnson, William Walker and George King, all of Terre Haute, narcotics; John Osborn, C. A. wordsworth, liquor; Reece Johnson, Vicksburg, liquor; Pearl Archer and Mary M. Winters, Clinton, sending obscene letters; Margaret Clemitt, forging Government check, and Oma Bedwell, Jansville, liquor.

## Wales Falls for 18th Time

By United Press

RISLEY, England, March 21.—The Prince of Wales today took his eighteenth recorded spill while riding his favorite De Gomme in the inter-regional challenge cup point-to-point race. He was reported unharmed.

## Baby Born in Ambulance

Speeding at 50-Mile Clip

By United Press

Baby Tate, day-old daughter of Mr. and Mrs. Albert Tate, 733 N. New Jersey St., will have a hard job to point out her birthplace in future years.

Baby Tate got the speediest start in life of any baby in the history of Indianapolis, city hospital attaches declare.

She was born in an ambulance whirling to city hospital at a fifty-mile clip Tuesday night.

Dr. Paul Lake officiated at the birth.

Mrs. Tate pleaded with the driver to hurry when they placed her in the ambulance. The driver speeded up to close to a mile-a-minute clip. But the ambulance was only five blocks on its way to the hospital when Baby Tate peeped into the world.

Mother and baby are doing fine today. Babe Tate's name hasn't been chosen yet. She is the sixth child in the Tate family.

## COUZENS WILL PRESS MELLON OUSTER MOVE

Michigan Senator Declares He Will Not Permit Delay on Vote.

MARSH IS ON STAND

Trace of Missing Bonds to Be Sought in Probe of Harding Estate.

By United Press

WASHINGTON, March 21.—The Teapot Dome committee again hit the trail today seeking more information about political oil bonds as independent Republicans and Democrats were organizing a movement in the Senate to put through the Couzens resolution demanding resignation of Secretary of Treasurer Mellon.

Senator Couzens (Rep.), Michigan, author of the resolution, announced he would consent to no substantial delay in action upon the matter and that he would not permit the resolution to be sidetracked if he could prevent it.

## Democrats Back Plan

The independent bloc of a dozen Senators is firmly behind Couzens, as are most of the Democrats. If the Democrats continue to hold together the resolution is expected to pass by a substantial majority.

Although Couzens cited numerous acts of the Secretary in relation to his varied business holdings and tax cases tried in his department, the Senate based its resolution primarily upon the fact that Mellon had concealed for four years the fact that Will Hays, former chairman of the Republican National Committee, attempted in 1923 to get him secretly to handle \$50,000 of Liberty Bonds Hays obtained from Harry Sinclair, oil man, as a campaign contribution.

Meanwhile, the committee called as a witness today Wilbur Marsh, former treasurer of the Democratic national committee who testified he never had an agreement with the late Fred W. Upham, Republican treasurer, to conceal 1923 campaign contributions.

## Denies Concealing Gifts

Marsh said the Democrats would receive no contributions he would desire to conceal or any "unusual" contributions.

"But every contribution in 1923 was unusual—they were so hard to get," he commented jocularly.

Upham's secretaries, Irl Hipsley and A. V. Leonard had testified Upham had informed them he had a secret understanding with Marsh.

"There was never any such agreement or any conversation relating to such an agreement, Marsh said. "My relations with Upham were cordially friendly. I was never in his office in my life. Any times I met him were in hotel lobbies and on the streets. All the contributions we received are matters of record. There weren't any contributions that we were unwilling to make public."

Marsh, treasurer of the Democratic committee from 1916 to 1924, said the party deficit for the 1920 campaign was \$290,000 and the 1922 deficit was about the same.

Like the Republicans, the Democrats made strenuous efforts to clean up that deficit in 1923 before the 1924 presidential campaign, he said.

## Private Investigators Work

Private investigators are working for the committee on additional subpoenas. One of them Tuesday inspected bank accounts in Sullivan, Ind., home of Will Hays, seeking possible bond deposits. Others are expected to consult C. E. Shaeffer, executor of the estate of the late president Harding, to ascertain if the estate records can be inspected for possible trace of oil bonds.

Particularly in connection with sale of the Harding paper, the Marion (Ohio) Star. Their report will be presented to the committee privately.

Senator Walsh issued a statement Tuesday in which he deplored the fact that "innocent reputations" may have been injured by public knowledge that the committee is pursuing several lines of inquiry. He said the Harding estate would not be investigated until the committee received some authentic evidence warranting the calling of witnesses.

Simultaneously, Nye denied his move for such an inquiry was promoted by any desire to "whitewash Mr. Harding."

## HIGHEST U. S. AWARD GIVEN LINDBERGH



For the bravery he displayed in his trans-Atlantic flight, Col. Charles A. Lindbergh today received from President Coolidge the Congressional Medal of Honor. The award is the highest the Nation can bestow.

## Medal of Honor Presented to Ace by Coolidge; Bravery Cited.

By United Press

WASHINGTON, March 21.—Col. Charles A. Lindbergh received from President Coolidge today the Congressional Medal of Honor—the nation's highest award.

The medal, voted Lindbergh by Congress in recognition of his trans-Atlantic flight of last May, was presented at the White House in a simple ceremony attended by cabinet members, prominent Army, Navy and Marine officials, and Congressmen.

In presenting the medal, the President cited his bravery and the good to aviation resulting from the flight.

Lindbergh was presented with a special medal from the Aeronautical League of France by Secretary of War Davis later. He also received an especially bound volume recording his trans-Atlantic flight. The book and medals were sent here from France through the American military attaches in Paris.

Immediately after the ceremony Lindbergh planned his flights with Congressmen, which he began yesterday.

This forenoon he appeared at an executive session of the Senate Military Affairs Committee and also urged the House Military Affairs Committee to provide increased pay and more rapid promotion of Army and aviators.

He endorsed no specific measure, but said service fliers are entitled to more adequate compensation because of the danger they face.

"It is discouraging for an officer to remain too long in a junior grade," he said, endorsing faster promotion.

Lindbergh also praised the Army's pan-American flight, and the Army's Hawaiian flight.

## REPORT FLIERS' BODIES FOUND

Two Dead on Mountain in Maine, Says Rumor.

By United Press

PORTLAND, Me., March 21.—The Bangor correspondent of the Portland Evening News today reported he had received word that two bodies, believed to be those of Captain Walter Hinchcliffe and Miss Elsie Mackay, had been found on Whitecap mountain, west of Island Falls, near Patten, Me.

The report was entirely unconfirmed.

BROWNVILLE, Maine, March 21.—J. Kelley of the Pleasant River Pup Company, near here, has been requested by an official of the Canadian Pacific Railroad to send men to Whitecap Mountain, where two bodies and wreckage of an airplane were reported found, he told the United Press today.

Kelley said the request was made after the reported sighting of wreckage in the woods on the face of the mountain fifteen miles from here by a Canadian government plane.

A party of ten men was preparing to leave for the mountain at noon. Kelley said no one in Brownville, as far as he knew, had reported seeing any wreckage or bodies.

## Initiate Arbitration Treaty

By United Press

WASHINGTON, March 21.—Arbitration treaty negotiations with Portugal were initiated today by Secretary Kellogg.

## SMITH DENIES OIL MAN'S GIFT IN 1920

By United Press

ALBANY, N. Y., March 21.—Governor Alfred E. Smith has sent a letter to Senator Gerald P. Nye, who is conducting part of the Teapot Dome investigations, denying that Harry F. Sinclair, oil man, contributed to his campaign fund in 1920.

"Dear Senator Nye: You are quoted in the daily papers this morning (March 20) as having said yesterday on the floor of the Senate I do understand that in the campaign of 1920 at which Governor Smith was elected, Mr. Sinclair was a very liberal contributor to his cause and that following the election, he was made a member of the racing commission of the State of New York."

"Senator Robinson of Indiana made a similar statement. Your information, wherever you got it, is in every respect false and these statements were recklessly made."

"A careful search of the official records made at my request today confirms my recollection that Mr. Sinclair never contributed to my campaign fund, either in 1920 or at any other time that I ran for office; in fact, I failed of election as Governor in 1920 and Mr. Sinclair had been appointed to the racing

commission months prior to that election some four years before there was any thought of the oil scandal. A few months before the end of his term early in 1925, I accepted his resignation.

"I do not propose that either you or Senator Robinson of Indiana, shall escape public humiliation for the infamous insinuation you have made by your pretense of disclaiming desire to cast reflection on me or stating that your committee has no concern with the matter.

"Without the slightest warrant in fact and with no basis whatever you have both made false statements from which you evidently calculated that people would be misled into believing that I was some way a beneficiary of the oil scandal.

"This, no doubt, is a Republican counsel of desperation to escape in some nature the penalty for the disgraceful record of the Republican party in connection with the scandal. No such red herrings can be dragged across the trail. The complete baselessness of your demagogic slander has aroused the indignation with which I make this statement against your outrageous conduct.

"Very truly yours, ALFRED E. SMITH."

## ROBINSON IS UNDER FIRE IN U. S. SENATE

Democrats in Spirited Attack as Charges Against Al Are Renewed.