

The Indianapolis Times

Partly cloudy tonight and Tuesday, rising temperature.

HOME

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INDIANAPOLIS, MONDAY, APRIL 9, 1928.

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FIGHT TO BAR STEPHENSON'S STORY OF KLUX CRIMES IN PENNSYLVANIA KLAN TRIAL

Motion Asks Judge to Rule Out Deposition; Orders Battles for Life in U. S. Court; Lynching and Rioting Charged.

COUNSEL IN BITTER CLASHES

Fight Bitterly Over Question of Whether Five 'Rebels' Were Legally Banished; Dragon of Realm Called as Witness.

BY ROSS DOWNING

United Press Staff Correspondent

PITTSBURGH, April 9.—Fight to bar a deposition of D. C. Stephenson, former Indiana Klan grand dragon, as evidence in the Federal Court battle of the Ku-Klux Klan for life in Pennsylvania, was begun today at the first session of the trial.

B. H. Connaughton of Washington, D. C., attorney for the Klan, filed a motion to rule out the evidence of Stephenson, who is serving a life sentence in Indiana.

Stephenson's deposition tells a story of political intrigue, terrorism and murder for which he says the Klan is responsible. Judge W. H. S. Thompson said the motion would be argued later.

Opposing counsel fought bitterly over the question of whether members of the "rebel" faction had been legally banished from the Pennsylvania realm of the order.

The suit in equity brought by the State organization to prevent five "rebel" members from interfering with the operation of the organization, and the counter suit brought by the defendants to have the Klan banished in Pennsylvania, is being tried before Judge H. S. Thompson.

Four Witnesses Called

Four witnesses had been called by the plaintiff organization when court recessed at noon.

The administration forces of Imperial Wizard Hiram W. Evans contended that Attorney Van A. Barrickman and four co-defendants no longer members of the order.

They attempted to establish this through testimony of the Rev. Herbert Shaw, grand dragon of the realm of Pennsylvania.

Barrickman, who also is defense counsel, attempted to show that he and members of his faction had never been properly expelled.

The hearing today is on the suit brought by the Klan against five rebellious members, including Barrickman. They are being sued for \$100,000 each and an injunction is asked to restrain them from interfering with the organization in the State.

The counter suit of the five defendants to have the Klan banished in Pennsylvania and an accounting of money made will follow.

Connaughton of Washington, M. J. Hosack of Pittsburgh and J. H. Sullivan appeared as attorneys for the Klan.

Lewis J. Watkins of Greensburg, Pa., and Van A. Barrickman of Pittsburgh appeared as attorneys for the "rebel" group of klansmen. Shaw testified Barrickman had been banished by the imperial wizard. Connaughton requested that Barrickman bring into court the paper ordering his banishment.

Banishment Is Denied

"I have a paper in my office, but it is no banishment," Barrickman said.

Barrickman questioned Shaw concerning a meeting at which it was alleged Shaw had revoked the charter of the William Penn Klan No. 136 of Pittsburgh, when the Klan had assembled to hear the case of Barrickman.

Barrickman attempted to show that some of the men had not been expelled until after the present suits had been filed.

Shaw claimed he had revoked the charter of the lodge in question because its attitude was "a defiance to the imperial wizard."

Charge Many Crimes

The defendants named in the original suit brought by the Klan are the Rev. John F. Strayer of Latrobe, Pa.; Dr. Charles F. Hunter of North Bessemer, Pa.; William C. Davis of Manor, Pa.; Charles F. Oyer of Wilkesburg, Pa., and Barrickman.

Murders, lynchings, riots and other crimes were laid at the door of the Klan in the answer and cross bill of the rebels.

These charges were supported by depositions obtained from Col. William J. Simmons, founder and former imperial wizard, and D. C. Stephenson, former grand dragon of Indiana, who is serving a life sentence for murder.

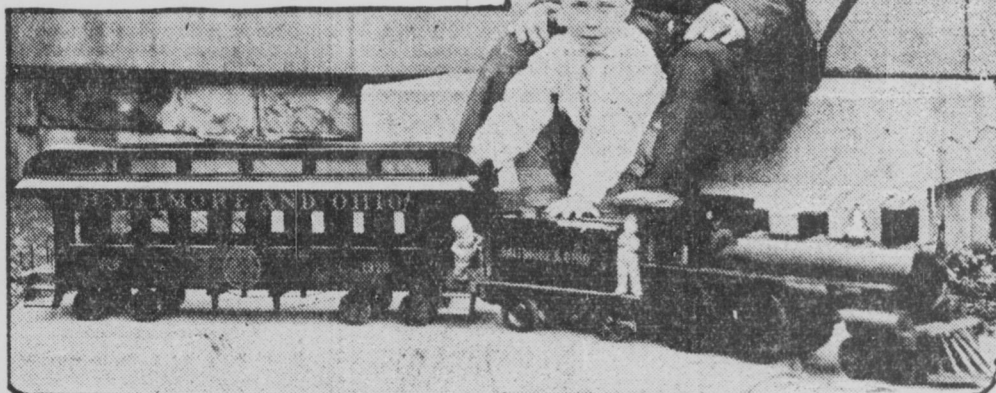
The Stephenson deposition was secured by Barrickman, chief counsel for the rebels, who went to the Indiana State penitentiary in Michigan City. An attorney for the Klan was present when the deposition was taken.

Simmons is expected to be the star witness for the rebels. He is said to have been in seclusion in Pittsburgh for several days, conferring with rebel klansmen.

He Still Chooses to Choo-Choo

"Once a car builder, always a car builder," friends say smilingly of George L. Lucas, who has completed a miniature engine and train for his grandson, Myron Scarbrough, 7, of 273 N. Pershing Ave.

Lucas recently was retired on a pension from the B. & O. R. R. after almost fifty years of service, most of which was spent in building cars. But if Lucas couldn't build a big train, he would work on a miniature one, and admiring little boys have Oh'd and Ah'd through the windows of the Scarbrough garage, where the car builder has wielded his tools for several weeks.



George L. Lucas, his grandson, Myron Scarbrough, and train Lucas built.

New Wrinkle

By United Press

CHICAGO, April 9.—Wrinkles will be curiosities in the next fifteen years and it will be hard to distinguish mothers from daughters if the latest claims of beauty science prove true.

The new kaioic mask, which beauty experts say will replace a girl's glow to aged complexions, iron out wrinkles and shrink sagging chins, will be demonstrated for the first time Monday at the Mid-West Beauty Trade show.

H. H. Myers of New York City, who will make the demonstration, said today the mask is painted on a woman's face with a small brush, layer by layer, and permitted to harden.

"When it has finished its work," Myers said, "it comes off in the form of a mold of the customer's facial features. Its principal feature is the application of heat of exceptionally high temperatures, without inconveniencing the patient and the results are astounding and pleasing."

FORD ENJOYS LONDON

Promenades With Wife Through Parks Easter Sunday.

LONDON, April 9.—Although his every appearance is signal for the gathering of a great crowd, Henry Ford is enjoying London. Sunday the American motor car manufacturer and his wife promenaded through the parks, joining with the Easter throng. In the afternoon they motored through the Thames valley.

413 DIE IN CRASHES

Autos Take Heavy Toll In Large Cities During March.

WASHINGTON, April 9.—Auto accidents in seventy-seven cities the four weeks ended March 24, caused 413 deaths, as compared with 440 deaths in the corresponding period last year.

Commerce department statistics showed today that New York City led with sixty deaths. Some of the larger tolls were: Baltimore, 10; Boston, 7; Chicago, 47; Cleveland, 14; Detroit, 11; Indianapolis, 11; Los Angeles, 18; Newark, N. J., 10; Philadelphia, 20; Cincinnati, 8.

MISSISSIPPI IS RISING

Within Six Feet of Flood Stage at St. Louis.

ST. LOUIS, Mo., April 9.—The Mississippi River, already within six feet of flood stage, continues to rise slowly today. Government forecasters said it would rise two or three feet in the next three days.

The forecasters said, however, that precipitation so far this spring was not sufficient to send the river above flood stage.

JACKSON PONDER'S FATE OF SLAYER

With the clock ticking away the life of John Hall, 20, convicted slayer of Louis C. Kreidler, South Bend druggist, Governor Ed Jackson this afternoon wrestled with the problem of whether he should stop the execution set for just after midnight.

Frank E. Coughlin, attorney for Hall, pleaded with the Governor for two and a half hours this morning to stay the execution. Coughlin carried a reputed confession from Thomas O'Brien, pal of Hall, that it was O'Brien, not Hall, who struck the druggist on the head with a revolver two years ago last month in a holdup attempt.

O'Brien is serving a life sentence in Indiana State Prison. After the conference with the attorney, Jackson announced he had

not decided, but, "If I do anything it will be merely to grant an extension of time while I personally investigate the case."

Resigned to Fate

By United Press

MICHIGAN CITY, Ind., April 9.—With his scheduled execution only a few hours away, John Hall, sentenced to die shortly after midnight for the murder of a South Bend druggist, today was resigned to his fate.

"Life in the penitentiary," he was reported to have said, "means about twenty-five years; the chair means but five minutes."

The doomed man was reported to have placed little faith in last-minute efforts of his former pal, Thomas O'Brien, to save him from the chair.

SEEK JURY FOR SINCLAIR TRIAL

Difficulty in Sifting Panel Forecast; Many Have Fixed Opinions.

By United Press

WASHINGTON, April 9.—Extreme difficulty in selecting a jury marked the opening today of Harry P. Sinclair's second trial on charges of conspiring to defraud the Government.

The afternoon session opened with eleven jurors in the box awaiting possible challenge. Not one had been definitely accepted for the case. The box had been filled arbitrarily just before noon, but a woman prospective juror was excused.

Justice Jennings Bailey used two panels of takers during the morning session. He was attempting to speed up the trial. He skimmed over questions and did not lose a second in the routine calling of prospective jurors.

He indicated he would not countenance any delay tactics by Sinclair's lawyers when he abruptly halted an argument of Attorney George Hoover and overruled this counsel's protest against the court instead of the attorneys examining the jurors.

Many Fixed Opinions

Many talesmen said they had formed fixed opinions regarding the case and they were excused, after being challenged preemptively or for cause. This was decidedly different from the previous trial, in which veniremen professed ignorance of the case.

It was evident that service on the jury seemed unattractive, since it was believed the jurors would be locked up to prevent a repetition of jury-tampering which caused the first trial to end abruptly last October.

It was Sinclair's second appearance in court on the same charge. The first trial, last October, when Albert B. Fall, former secretary of the interior, was a co-defendant, ended spectacularly because of alleged jury tampering.

Call 75 U. S. Witnesses

Sinclair, accompanied by his wife, his mother, Mrs. Phoebe Sinclair, and his "million dollar" staff of attorneys arrived in court at 10 o'clock. The defendant, dressed in a blue business suit, took a seat in the enclosed space by the judge's bench and sat nonchalantly while a clerk called the jury roll.

The Government has called nearly seventy-five witnesses, covering every angle of the least transaction, and particularly the receipt of \$235,000 by Fall from Sinclair a few weeks after the oil man leased Teapot Dome from Fall.

The sickbed deposition of Fall, indicted with Sinclair, is the principal defense weapon. Fall never had discussed in court the charges against him.

TEXTILE WAGES CUT

10 Per Cent Reduction Affects 30,000 in Massachusetts.

By United Press

NEW BEDFORD, Mass., April 9.—General 10 per cent wage reduction, affecting virtually every mill in this great textile center, was announced today by the New Bedford cotton manufacturers.

The reduction, effective April 16, will affect approximately 30,000 operatives.

With the wage cuts announced here today, wages have been reduced in most of the important mills in New England. A similar general reduction was announced in the neighboring city of Fall River a few months ago.

BEST FOODS, wholesomely cooked, reasonable prices. FLETCHER CAFETERIA, basement Fletcher Trust Bldg. 10:30 a. m. to 7:30 p. m.—Advertisement.

Mixed Pews

By United Press

NORTHAMPTON, Mass., April 9.—Charlotte Crooks, 16, was in the right church, but the wrong pew for Easter services, and as a result, the girl shared her hymn book with the First Lady of the land.

When Mrs. Coolidge arrived at the Edwards Congregational Church she found Charlotte in the Coolidge pew. The President's wife smilingly sat beside her and remained with the girl throughout the services.

Charlotte is a daughter of Mrs. Maurice K. Crooks, church soloist.

LEVIATHAN HIT BY HUGE WAVE

Searchlight 85 Feet High Smashed by Water.

By United Press

NEW YORK, April 9.—The liner Leviathan, battered and damaged despite her size by a vast wave that struck her in midocean, docked here today from Southampton.

The wave that struck about 9 o'clock last Thursday night, smashing the searchlight on the forward deck, eighty-five feet above the water line, came down with crushing force on the forward part of the ship.

Lifelines were smashed, ventilators bent and the iron top of a companionway, made of heavy steel, bent in.

Tons of water swept over the bow and entered the forward part of the vessel, where the crew and third-class passengers are quartered.

Some of the third-class passengers had to move to second-class quarters. The water carved great havoc below decks and the vessel showed considerable damage when she docked.

TWO FLIERS STAKE NORTH GOLD CLAIM

By United Press

DETROIT, April 9.—Floyd Bennett and Bert Balchan, pilots for Commander Richard E. Byrd, have staked a claim in the Canadian gold fields near Reindeer Lake, Manitoba.

For the last ten days Bennett

MEREDITH NICHOLSON IN COUNCIL; BARTHOLOMEW AND NEGLEY QUIT POSTS

Easter, the End

By United Press

LOS ANGELES, April 9.—"It will not be a very pleasant Easter for you, my dear," Mrs. Frances Smith said to her husband, Lewis A. Smith, Sunday morning.

Five minutes later she died of poison. Her husband said she had been in ill health for several years.

WATSON TO GET BORAH DRY QUIZ

Decision Answers Charges Senator Didn't Dare.

By Times Special

WASHINGTON, April 9.—Senator Borah of Idaho will submit his questionnaire on prohibition today or Tuesday to Senator J. E. Watson of Indiana, a candidate for President, Borah announced today.

The announcement was a prompt reaction to a story appearing in the New York Herald-Tribune this morning, in which Watson was quoted as saying Borah did not dare submit the questionnaire to him.

Watson further was quoted as saying he would "crush" the Idahoan if he did. It was surmised here that Watson may have referred to an incident of the 1924 campaign, when Borah had something to do with the noncommittal plank of the Republican platform.

Senator Watson's office would not comment upon the authenticity of the Herald-Tribune's "quotes."

Borah's failure to submit the questionnaire to Watson has been a subject of comment for some time. He addressed each Republican leader as he announced his candidacy, the list including Senator Curtis, Senator Willis, Herbert Hoover and Frank O. Lowden. All except Lowden have answered.

RESCUE MISS WILBUR

Two Girls Lost on Ledge in Mountains.

By United Press

YOSEMITE, Cal., April 9.—Miss Edna May Wilbur, daughter of Secretary of the Navy Wilbur, and Miss Ona E. Ring of Lindsay, Cal., were rescued from a narrow ledge, 2,000 feet above the floor of the Yosemite valley Sunday.

The girls, without a guide, became lost Saturday night while attempting to descend the steep Glacier Lodge Point trail.

Rangers John Bingham and William Reymann responded to the girls' cries for help, and with the aid of ropes hauled them more than 100 feet to safety.

U. S. TREASURER QUILTS

Frank White Resigns to Become Corporation Head.

By United Press

WASHINGTON, April 9.—Frank White, treasurer of the United States for the past seven years, announced today that he has resigned to become president of the Southern Guaranty Corporation of Chattanooga, Tenn.

White was not indicated definitely whether he will permit this, despite the fact that some of the indicted men already are out of office.

Trial of Walter R. Dorsett, councilman whose resignation was accepted last week, was postponed from 9 this morning until Wednesday morning in Criminal Court, while the prosecutor observed what happened at the special council meetings.

Watches Council Action

It was understood Remy was particularly interested in whether Negley and Bartholomew would get out. With Todd's resignation effective late this month, only Albertson of the bribery group remains a full-fledged councilman. He is expected to resign.

William H. Book, chairman of the Chamber of Commerce civic affairs committee, said the joint civic group which has been recommending candidates to replace the resigning councilmen would be called together Tuesday to nominate men to succeed Negley and Bartholomew.

Negley was not at the meeting. When the session had been called to order, Todd moved a five-minute recess to permit a caucus, but his motion was lost for want of a second.

Linton A. Cox, representing the Board of Trade on the joint civic organizations' committee, presented Nicholson's name as the choice of the civic committee to succeed Ferguson.

Councilman Raub placed Nicholson's name in nomination. Nom-

Famous Author Sworn in to Replace Ferguson; Only Two Involved in Scandals Now Hold Office.

CALL SPECIAL SESSION WEDNESDAY

Joint Civic Group Will Assemble Tuesday to Recommend Successors to Pair Who Resigned Today

Indianapolis today was rid of all but two of the seven city councilmen involved in the bribery scandals, following two more resignations at two special meetings held during the noon hour.

Meanwhile, Meredith Nicholson, internationally known author, was elected a member of the council to succeed Millard W. Ferguson, Democrat, Fourth district councilman, who resigned last week.

In rapid order these events took place:

1. Nicholson was elected by the votes of all seven members present. 2. Claude E. Negley resigned as councilman, declaring his innocence of the bribery charges and has made no deal with the prosecutors. 3. Otis E. Bartholomew resigned as president of the council. He is under indictment.

The first special meeting was adjourned. The second special meeting was delayed until Nicholson was summoned from his downtown studio to be sworn in.

4. Then, upon suggestion of Councilman Edward B. Raub, Democrat, one of the two original councilmen not involved in the bribery scandal, election of a successor to Bartholomew was postponed until next Monday night.

Bartholomew Resigns

5. Bartholomew's resignation as a councilman was submitted and accepted. Raub temporarily replaced him in the chair.

6. Council decided on a special meeting at 1 p. m. Wednesday to elect successors to Negley and Bartholomew.

These moves left the council situation, briefly, as follows: Present members, Raub, Robert E. Springsteen, Nicholson and John F. White, Democrats; O. Ray Albertson, Austin H. Todd and Albert Meurer, Republicans, with the chairs of Bartholomew and Negley vacant.

Todd's resignation is on file, effective April 25. Albertson, not indicted, but a State witness, who is "telling all" in the bribery cases, refused again to say whether he will resign.

Want to Dodge Prison

The councilmen, other than Negley, who have been resigning, have let it be known they hope Prosecutor William H. Remy will permit them to plead guilty to malfeasance charges rather than bribery, so they may escape prison terms, in return for their vacating their offices.

Remy has not indicated definitely whether he will permit this, despite the fact that some of the indicted men already are out of office.

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Finders Are Keepers; Gallantry's Labor Lost

IT'S hard to talk some woman out of \$10, A. C. Ryerson, 2262

N. Delaware St., believes. Ryerson was one of those who gallantly rushed to aid a young woman whose purse came open as she was walking down Washington St. Saturday. One, five and ten-dollar bills danced here and there in the wind as pedestrians lunged for them.

Finally all were recovered and restored to the owner, but a lone \$10. It blew erratically across the street with Ryerson in hot pursuit. Just as he had cornered it on the other side of the street, a middle-aged woman picked it up. Ryerson explained the situation.

"Ha, that's a likely story," laughed the woman. "I won't give it to any one unless they can prove it's theirs. I found it before you did; you can't have it."

Ryerson explained further and the woman finally agreed to wait while he brought over the owner. So Ryerson went across the street. When he returned, the middle-aged woman and the \$10 had gone.

SCHOOL BOND SALE UP

Board to Vote on \$100,000 Worth Tuesday Night.

Purchase and retirement of \$100,000 outstanding school bonds will be considered at the school board meeting Tuesday night, Business Director A. F. Walsman said today. The board retired \$44,000 school bonds in March.