

# The Indianapolis Times

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"Give Light and the People Will Find Their Own Way."

## Contempt of Court

It is fortunate that Attorney General Gilliom refuses to permit a pardon by Governor Jackson to end the contempt case against Rev. E. S. Shumaker, sentenced to the penal farm by the supreme court. Not that it matters much whether Shumaker serves or not, but it does make some difference for the future if it be definitely determined that the power of the Governor to pardon is not absolute.

It will be of still greater service if it calls to the attention of the legislature the necessity of defining powers of the courts to punish for contempt, especially the power of lower court, and provide methods of preventing judicial tyranny.

The actions of Judge Dearth in exercising his contempt powers in the case of George Dale amounted to a public scandal and Dale was somewhat reluctantly pardoned by Governor Jackson when public sentiment ran high.

The line between criticism of court actions which make the proper administration of justice impossible and criticism which constructively fights for justice is not always clearly marked.

But it is certain that in every case justice will suffer nothing if there be some check upon the actions of the judge who takes offense.

Certainly it is against all American ideas that any official, even a judge, be clothed with all the powers of prosecutor, witness, judge and executioner. In every contempt case, except those committed in the presence of the court, the verdict should be rendered either by some unbiased judge or by a jury to pass upon the facts.

Freedom of speech should mean more than a phrase and no person, either by the spoken or printed word, should be terrified by the idea that a judge has arbitrary power over his liberty.

The minority opinion of the supreme court charged that this newspaper was in open contempt of the court, because it differed with the majority opinion of the court in the case of Shumaker.

This newspaper has maintained that Shumaker should have been punished, not for his misinterpretation of decisions and perhaps libel of judges, but for his open effort to use his political power to influence, secretly or by indirect methods, the final judgment of the court.

Freedom of speech and freedom of the press are the two great safeguards of liberty.

The whole power of courts to punish for contempt and of the Governor to set aside the judgment of a branch of government of equal authority, should command some attention from the lawmakers.

## A Matter of Duty

Certain aspects of the recent election make it more imperative than ever that congress perform the plain constitutional duty it has shirked for eight years—reapportionment of the house so that states are represented more fairly according to their population.

Each state's representation in the electoral college is equal to the number of its senators and representatives. If congress, as directed to do every ten years by the Constitution, had reapportioned after 1920, a certain group of states would have had twelve more representatives—and electoral votes—and certain other states would have had twelve less, than they now have.

Statisticians have figured out that with a switch of less than 500,000 popular votes, Smith would have gotten 269 electoral college votes and the election, a majority being 266. But five of the states given to him in this tabulation, including three he actually carried—Rhode Island, Louisiana and Mississippi—with Missouri and Nebraska, each have an electoral college vote of one more than they are entitled to, which would have then made his total under reapportionment 264, or less than enough to win.

That's one side. But California is entitled to three more votes than she has and Michigan one more. Both are states which you couldn't have pried away from Hoover with a crowbar. So that in the event of a close election we would have had a double injustice to the Republican candidate and a double gain for the Democratic and possibly a minority President—as the result of the inaction of a Republican congress.

According to present population, the injustice is growing. A certain group of states now has twenty-three more votes than it is entitled to and another group twenty-three less, both in the house and in the electoral college. And by the census of 1930 the wrong probably will be greater.

Even disregarding the obvious injustice of the present situation as to legislation we should not have another presidential election in 1932, possibly with passions running nearly as high as they did this year, with a total of fifty votes out of proper line in an electoral college of 531 votes.

## Radio and the Spellbinder

Yes, the radio is going to work wonders in politics by way of putting out the hay, straw, and alfalfa. As time is money when the microphone is busy and much too expensive for windy local spellbinders, most of those long-winded and terribly tiresome speeches of introduction have been boiled down. Toward the end of the campaign, some of them were cut out altogether by not turning on the mike until the real speaker was ready to cut loose.

We learned something during the late campaign, just as broadcasting stations finally learned, that the best broadcaster wasn't a comedian bent on advertising himself. It won't take long for political organizations paying for time on the radio to learn to let the speeches of introduction go to the crowd in the hall, but not to the big audience listening in.

This may be tough on local windjammers, but it will have a restful and soothing effect on the air audience.

Even the amateur vociferators won't last long. They are not worth the price. It didn't take listeners long to learn to tune in on the big guns and tune out on the firecrackers.

Probably the most serious result of radio campaigning will be the necessity of shutting off the applause, the cheers, catcalls, boos and any other kind of human noise you can think of. There is really some benefit in that.

Campaign speeches come after the baseball season is over and noise has had time to accumulate in human lungs that had been busy hollering at the game. They enjoy the same sort of explosion at campaign meetings, for partisans don't have to under-

stand what the orator is saying. They can yell anyhow.

Knowing whether he is a Republican or Democrat, the audience knows when to cheer and when to boo. You cheer your own man and boo the other fellow. It makes little difference whether the argument pro or con is good or bad, even though most of it is con.

Shutting off the noise to save time and money on the radio was about the toughest job orators tackled during this year's campaign. All tricky politicians need to do until some way out is found is to fill the hall with their partisans with instructions to cheer the speaker so long, loudly, and enthusiastically that he won't have time to get over his argument.

And he certainly does love that applause. And he can't get it from listeners-in who are comfortably seated at home.

But that is as it should be. The advantage is with the radio public. It sometimes is embarrassing to get up and walk out of a hall while some fellow is spellbinding, but it's no trick at all to give the dial a twist and consign Mr. Orator to the silence of oblivion.

Altogether, the radio gives great promise of making American politics saner and more comfortable. To get away from the noise of the crowd, even the presidential candidates will have to cut out public meetings and do their talking from a studio.

The big thing about it for the listener is that he can shop around on his dial and have some choice of speeches. On his magic carpet he can attend a meeting at San Francisco, switch himself immediately to New York, or to St. Louis, Chicago or anywhere else; or even turn the darned thing off at any moment, take a nap, and go to bed.

## Save Cumberland Falls

Flowing through the wild mountain woodlands of Kentucky, the Cumberland river at one point drops in a broad sheet of water over a precipice sixty-seven feet high, forming Cumberland Falls, as beautiful as Yosemite and, so some say, more beautiful than Niagara.

This wondrous sight just has been made available to visitors over a crude road hewn out of the mountain by citizens of Corbin, Ky. Those who have seen the falls come away singing their praise.

But nature lovers are not alone in their discovery. The Insull power interests also have found the falls. The Cumberland Hydro-Electric Power Company, an Insull subsidiary, has bought 2,000 acres about the falls and has filed an application for a permit to build a dam to divert the water. The federal power commission will hear the application Wednesday.

If the permit is granted, the water will be taken from the stream and run through a tunnel to the power house below the falls. A little trickle of water will be left where now is a thundering cascade.

The federal power commission is composed of the secretary of war, the secretary of agriculture, and the secretary of the interior. The latter is Roy O. West, formerly an attorney for the Insull interests.

Granting of the permit is opposed by the National Conference of State Parks, the Izaak Walton League, and the Cumberland Falls Preservation Association. They say the recreational value of the falls is greater, from a purely economic viewpoint, than their industrial value. They want the falls set aside for a state park.

Our disposition is to agree with these conservationists. In any case, the matter is not one on which the power commission should take hasty action. It should not be disposed of until every side has been heard, including those persons merely who wish to serve the public interest.

The season is almost at hand when the duck hunter's wife begins to visit the lawyer's office.

—David Dietz on Science

## Potato Points the Way

No. 205

The story of scientific progress from one point of view is a series of lucky incidents. Somebody left something lying around. Radio-activity was discovered because Becquerel left some uranium ore lying around on a photographic plate. Later, to his great surprise, he found an impression on the plate. The discovery of x-rays was very much similar. Every important physical laboratory in the world at the time possessed tubes called Crooke's tubes, which were developing x-rays. But no one knew it until Roentgen found it out.

Robert Koch, now extraordinary associate of the imperial health office of Berlin, made one of the most important discoveries in the history of medicine. He was hunting for a microbe by leaving a potato lie on his laboratory table. A lucky accident, one might say. But let us pause and reflect. Such lucky accidents are always happening. But no one knows it.

A lucky accident becomes so only because there is a genius like Becquerel, or Roentgen or Koch to interpret it. Koch had left half of a boiled potato lying on the table. Some time later he found a collection of little colored spots on the surface. One was gray. Another was red, a third violet, and so on.

Many men might have rung for the janitor and told him to carry the potato out. Instead, Koch sat down and began to think. Research workers all over Europe—for by now every university laboratory was crowded with potential Kochs and Listers and Pasteurs—were trying to find a way to grow colonies composed entirely of one type of microbe.

But no matter how careful they were, a microbe of some other sort would drop from the air into their solutions and then they would have a mixture of two kinds of microbes instead of a pure strain.

Fantastically complicated apparatus was designed to keep out intruders, but it remained impossible to grow a pure strain of one type of microbe or bacillus.

And now Koch looked at his potato. He reasoned that the droplets of color must be the result of microbes falling from the air onto the potato. The microbe verified the fact. Each drop was a pure strain or colony of one type of microbe. A boiled potato was all the apparatus needed to solve the problem worrying all the microbe hunters of Europe. Microbes naturally got mixed up in liquids. But when one fell on a solid surface it grew into an uncontaminated colony.



## TRACY

M. E.

SAYS:

"The Tenth Anniversary of Peace Finds Us Getting Back to a Point Where We Can Think Soberly and Sensibly."

ONE can look at some distant star and imagine that ten years amount to little, but not at life.

Ten years are enough to see the boy in knee pants take his place in the ranks of men; enough to see the flapper wedded, get a divorce and remarry; enough to see vacant places where relatives and friends used to be; enough to see the community we once knew so well grow strange and unfamiliar; enough to see the course of nations altered.

Who can forget that morning ten years ago when whistles shrieked throughout America and crowds gathered to voice their relief with hysterical abandon?

Having won a war to end war, we felt we could put that problem aside.

Having discovered that Kaiserism was the source of all evil, and having beaten it, we could look forward to a more or less sinless world.

By way of good measure, we were going to hang the Kaiser, make Germany pay all the bills, form a League of Nations and realize Tennyson's poetic vision of "The Parliament of Man; the Federation of the World."

## Fought Worthy War

The things we fought for were not unworthy. It is unfortunate that we can not say the same with regard to some of the things we thought we fought for.

Whether the world the price, it did some good to get rid of the German military machine. It also did some good to get rid of the Romanoff and Hapsburg tradition.

Besides that, we learned quite a bit about surgery, disease and other social problems.

We acquired a mood where we could think of the adjustment of international disputes through orderly methods as possible.

In the end, this world will probably be a better place to live in because of the great war. Whether it could not have been made a better place to live in without the great war is a question that scholars are privileged to debate, but that they never can answer.

Certainly our ideas with regard to international peace have broadened, but they had begun to broaden before civilization exploded. More than that, Germany had considered the possibility of a Republic, and Russia the possibility of a revolution.

## Again Think Soberly

The tenth anniversary of peace finds us getting back to a point where we can think sensibly and soberly, where we can realize how big and complicated the problem of introducing a "reign of law and order" throughout the world really is. Without forsaking the ideal, we have given up the notion that it could be attained over night. That, more than anything else, puts us in a position to approach it.

Nothing interferes with our capacity to do a thing so much as underestimating the difficulties involved.

Our peace program broke down chiefly because it was pushed forward with an emotionalism which refused to take account of the obstacles to be overcome.

You can grow roses on a muck heap or sentimentality, but you can't make it the foundation of a substantial structure.

## War Hysteria Hangovers

"Back to normalcy," we shouted as we rolled up a majority of 70,000 for Warren G. Harding and the Republican party. Worse, still, we thought it had arrived when the stock market steadied and our great corporations began to function as usual.

Such aberrations as the oil scandal, the Ku-Klux Klan, Volsteadism and the rise of gang rule should have warned us that we still had a long way to go. Each and every one of these manifestations of crooked thinking were, in large measure, traceable to war frenzy.

The hysteria with which we swallowed bits of German atrocity, mobilized twice as many men as we needed, tolerated graft in the construction of ships and cantonnements and dreamed of an impossible reformation in human nature, left a good many people on the fringe of lunacy.

Some disguised themselves with pillow-slips and went forth to purify mankind with a tar bucket; some sought to make us saints by drying up the supply of alcohol; some took the form of "muck rakers" and some borrowed a page from big business to organize the underworld.

## Back to Normalcy?

From an economic standpoint, we have made a rapid, if not a complete recovery. The people of this nation are in comfortable circumstances as far as the balance sheet is concerned. They are not only well-fed and well-clothed, but a majority of them can afford automobiles, victrolas and receiving sets. When it comes to social conditions, the record does not look so well.

Vice and puritanism have combined to create an unnecessary degree of commotion and discontent. Crime has increased, divorce has increased, jazz has increased, vice cracking has increased, the craze for slogans has increased, the output of frivolous literature has increased and the influence of prejudice has increased.

"Back to normalcy" still leaves us some way to go.

## Daily Thought

And why stand we in jeopardy every hour?—I Cor. 15:30.

DANGER comes the sooner when it is despised.—Sydney

## Makin' a Lady Out O' Our Nell!



## DAILY HEALTH SERVICE

## Fasting, As Cure for Epilepsy, Unproved

BY DR. MORRIS FISHBEIN

Editor Journal of the American Medical Association and of Hygeia, the Health Magazine.

IN 1921 the suggestion was first made from a scientific source that starvation as a method of treatment would have beneficial effects in epilepsy.

This disease has been known almost since the beginning of time. It is described in ancient Roman works as the "falling" disease, and it was described by Hippocrates as the sacred disease because people in his time believed that it represented a special act of some higher power.

For many centuries men have grasped at every possible hope with a view to controlling its manifestations. Today it is known that the number of convulsions may be controlled by certain drugs, but this is no cure, merely temporary relief.

All sorts of special diets have been tried, including milk diets, vegetarian diets, meat diets, salt-free diets and similar combinations, but again without sufficient scientific evidence to establish any one of them as specifically valuable.

In many cases in which digestive disorders were present, proper attention to diet and bowel action has resulted favorably, as it would result favorably in a person with such conditions who did not have epilepsy.

The starvation method was offered as a specific method and in the seven years that have passed hundreds of persons have fasted from a period of a few days to a period of several weeks in an attempt to test its virtues.

Many investigators have reported a lessened number of convulsions or a reduction in the severity of the convulsions during the fast. However, as a method of cure, the starvation treatment has been dis-

appointing and its results essentially negative.

During the scientific investigation of the method, however, it was found that abstinence from food was associated with the production in the body of a condition called ketosis, associated with the appearance of certain chemical substances in the blood.

This condition could be induced by feeding a person a diet which contains large amounts of fat as compared with the amount of sugar taken into the body.

Extensive studies are now being made on the use of such diets, and it is found that they will obtain results just as good as can be obtained by fasting without the associated general disturbances and mental attitudes that are the accompaniment of starvation.

The new diet is called ketogenic diet because of the substances that it produces.

## Reason

By Frederick LANDIS



LOOKS LIKE ROOSEVELT  
FOREIGNERS FEEL GOOD  
SERMONS ARE SHORTER

OUT of the wreckage of last Tuesday's political cyclone, Franklin D. Roosevelt, newly elected Governor of New York, looms as the raw material of Democratic hope, and should he be re-elected and should his four years at Albany survive the crucial test of a comparison with the public service of Governor Smith, Roosevelt probably could receive his party's nomination for the presidency and compete with Mr. Hoover in 1932, should intervening events make such an enterprise attractive to one in his right mind.

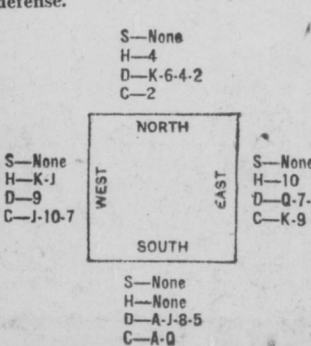
The south likely would resume its traditional solidarity behind Roosevelt, whose long devotion to Governor Smith would enable him, more than any other, to command the allegiance of those who idolized The Happy Warrior.

It may be worth something to the United States to have China, Germany, Great Britain, and other foreign countries feel that they are on terms of familiarity with Mr. Hoover, due to his world-wide activities as engineer and humanitarian, but they are likely to be disappointed in what they think they will get out of it.

The greatest contribution Hoover can make to the welfare of the country, greater even than the solution of pressing problems, is the show of wisdom of placing a great business man with vision and heart in charge of the government, to the end that government from top to bottom may be placed in the hands of capable men, rather than in the hands of politicians.

## BRIDGE? PUZZLE

BY FABYAN MATHEY  
There are no trumps, and South has the lead. North and South must win all six tricks, against a perfect defense.



And a method of play that will give North and South all six tricks. The solution is herewith.

## The Solution

IN this problem, the object is to establish sufficient re-entries to allow for necessary finesses.

South leads the eight of diamonds, which North wins with the king. North then returns the deuce and South wins with the jack, finessing through East.

South now leads the ace, North playing the four. South then leads the five, North winning with the six and returning a club. South again finessing through East. South now wins the last trick with his remaining club.

If South's opening lead is the five of diamonds, or any other card in his hand, the solution is impossible with correct play by East and West. (Copyright, 1928, by NEA Service, Inc.)

THE building of this memorial in Bodenwerder, to the memory of Baron Von Munchausen, Germany's greatest liar, reminds us that several million of the baron's enthusiastic followers participated in our recent national campaign.

If you want to know how a reform is going to work, just reverse your expectations. Thinking that publicity, regarding divorce trials, undermined the domestic relations, England passed a law making the trials secret, and, as a result, divorces are growing by leaps and bounds.

The shooting of this Kenosha (Wis.) man by his wife because he complained about her hospital bill admonishes us once more that we must handle them with gloves.

## Mr. Fixit

Points Out Need for Sherman Drive Railroad Crossing Warning Signal.

Let Mr. Fixit, The Times' representative at city hall, point out the need to city officials. Write Mr. Fixit at the Times. Name and address which will be given will not be published.

Need for a warning signal at the crossing at Sixteenth street and Sherman drive was pointed out today by a correspondent of Mr. Fixit.

Dear Mr. Fixit: Please see if you can't get a warning signal or bell erected at East Sixteenth street and Sherman drive. That is a very dangerous crossing as you can not see a train when approaching from the west until you are absolutely on the tracks.

On one side are trees and shrubs, and on the other, poles and trees. If signs such as have been installed at Twenty-First and Sherman drive were put there, several lives might be saved.

MRS. P. C. POLICE Chief Claude M. Worley has referred your complaint to the accident prevention division.

Dear Mr. Fixit—There is a bad chuck hole in the middle of county road pavement on Keystone avenue, about one-half square north of Thirty-fourth street. For safety's sake would appreciate your bringing this to the attention of the proper authorities.

A SUBSCRIBER. Luther Tex. county road superintendent, said the repair of the strip is contemplated when money is available.

How long has the English mandate over Palestine been in force? It became effective Sept. 29, 1923.

## KEEPING UP With THE NEWS

BY LUDWELL DENNY

(Copyright, Scripps-Howard Newspapers, 1928)

WASHINGTON, Nov. 12.—When Herbert Hoover with the eyes of the world upon him starts his Latin-American tour aboard a battleship, another American quietly and unheralded will be on his way to Russia. Charles Dewey, Hoover's friend, is making an unofficial "pleasure" trip from Warsaw to Moscow.

It is observed that while our diplomatic and trade relations with Latin America were meandering, we have no diplomatic relations whatever with Russia and trade would be improved by resumption of official intercourse.

Now there may be nothing more than coincidence between the Hoover and Dewey pilgrimages—and again there may be much more. But even the coincidence of the Washington diplomats "by the ears" for the international implications are obvious.

Dewey was under-secretary of the treasury here until he became financial adviser to the Polish government.

He was and is one of that powerful quartet of officials who formulate and execute the United States international commercial and financial policies.

That is, Dewey is a close associate of S. Parker Gilbert, agent-general for German reparation, the Secretary of the Treasury Mellon, and Hoover.

The nominal purpose of Dewey's trip in addition to pleasure, is to examine the possibility of expanding Polish markets in Russia and thus stabilizing Polish economic conditions.

Dewey, therefore, will have occasion to make a very thorough study of the Russian situation as regards agricultural conditions, industrial production, electrification, the new Moscow concessions policy for encouragement of foreign capital, the stability of the Soviet regime and its attitude toward foreign propaganda.

As a friend of the President-elect, it is assumed Dewey will not be so ungenerous as to refuse to share with Hoover his data and appraisal of the Russian situation. And Hoover, who is notoriously fond of facts, is not expected to be altogether uninterested in the Russian researches of his former cabinet associate.

Whether the Moscow government particularly is interested in Polish trade at this time, or whether it is much more concerned with possible American implications of Dewey's survey, the Kremlin is expected to go out of its way to make Dewey's trip worthwhile for all concerned.

For quite unofficially, though very concretely, the Washington and Moscow governments both seem to realize that they are going to get together pretty soon—or not for a long time.

That is, the Moscow government can no longer look forward, as it has in the past, to a change of administration in Washington to create a better basis for joint negotiation.

The change is now being made. Hoover is the man they must deal with, if at all, for the next four years, or perhaps for the next eight years.

Both from the standpoint of Washington and of Moscow, therefore, it appears that the time is approaching for unofficial feelings.

Whether such feelings result in eventual diplomatic recognition would depend upon Moscow's acceptance of the rather hard bargain which Hoover is apt to drive on the three-fold issue of debt funding, property claims and propaganda.

In diplomatic circles here the tendency is to emphasize the importance of the "recognition" of the Soviet government by the General Electric Company, and of the general growth of American-Russian trade, as creating a favorable background for Dewey's mission.

The General Electric contract, announced three weeks ago, provides the first long-term American credit to Russia, amounting to \$25,000,000 for purchase of electrical equipment over an eleven-year period. The contract's significance is heightened because it involves a satisfactory but unpublished settlement of the General Electric's claims arising out of the Russian revolution, which are typical of American property claims hitherto helping to block diplomatic recognition.