



The Indianapolis Times

HOME

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

VOLUME 40—NUMBER 158

INDIANAPOLIS, THURSDAY, NOV. 22, 1928

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SHUMAKER TO FACE QUIZ IN HIGH COURT

Told to Explain Why He Should Not Serve Prison Term.

TEST PARDON POWER

Judge Clarence Martin Dissents From Order to Dry Crusader.

The Indiana supreme court today ordered Edward S. Shumaker, Indiana Anti-Saloon League superintendent, into court Dec. 1 to show cause why he should not serve the sixty-day sentence the supreme court imposed on him for contempt of court, and from which Governor Ed Jackson pardoned him.

The order, written by Chief Justice David A. Meyers, is a result of action by Attorney-General Arthur L. Gilliom attacking the Governor's power of pardon in the contempt case.

Gilliom filed a motion urging the court to carry out the sentence Oct. 19, the day Shumaker went to the Indiana state farm with a calva-cade of friends prepared to serve the sixty-day sentence as a "martyr" to the cause of prohibition.

A telephone call from the Governor's office arrived at the farm a half an hour before he did and before nightfall the pardon had been sent there. Shumaker had paid his \$250 fine and was home again.

Seeks to Speed Case

Nov. 10 Gilliom filed his brief supporting his motion and contention Jackson had no right to overrule the supreme court with a pardon. Early this week Shumaker's attorneys filed a motion asking Gilliom's motion be overruled.

Today Ethian A. Miles, league attorney, requested thirty days time from Nov. 10 in which to file a brief supporting the Shumaker motion. The court apparently ignored this request in its order today.

Wednesday, Gilliom, who goes out of office Jan. 1, in an effort to speed up the case waived the ten-day formal notification period on the Shumaker motion.

Judge Myers who signed today's order was bitterly fought by Shumaker in the last campaign. Myers was re-elected, however, by a big majority.

Justice Martin Dissents

Judge Clarence Martin dissented from the order. Judge Willard B. Gemmill, who joined Martin in dissenting to the original Shumaker conviction, did not join him today.

Martin cited three reasons for dissenting: (1) That the supreme court sheriff has a receipt from the state farm superintendent that Shumaker was delivered there and the sixty-day sentence judgment executed. (2) That Gilliom's motion fails to show the real reason Shumaker didn't serve his sentence, which was because Governor Jackson pardoned him. (3) That the state farm superintendent also should have been made a party to Gilliom's action.

Sheriff William Resoner was to serve the court order on Shumaker at Martinsville this afternoon. Shumaker is there recuperating from a minor illness, his wife said.

NATIONAL CONVENTION OF W. C. T. U. TO CITY

1929 Meeting to Be Held Next August or September.

The 1929 national convention of the Women's Christian Temperance Union will be held in Indianapolis next August or September, Henry T. Davis, manager of the Indianapolis Convention Bureau announced today.

Davis received a wire from Boston, Mass., where the 1928 convention just ended, that Indianapolis had been chosen for the 1929 meeting in preference to Milwaukee, Wis., and San Antonio, Tex.

From 2,500 to 3,000 persons will attend the six-day meeting here in addition to several thousand of the 22,000 Indiana members of the organization who will attend some sessions, Davis said.

Invitation to meet here was extended at Boston by Mrs. Elizabeth Stanley, state president.

FUGITIVE BACK TO JAIL

"Lifer" Returned to Prison; Arrested Here.

Ernest Steed, guard from the West Virginia state penitentiary, today returned Samuel Blevins, arrested here on burglary charges Nov. 6, to the penitentiary to serve the remainder of a life sentence for murder.

Blevins killed a railroad watchman at Wheeling, W. Va., nine years ago. Steed said. He escaped from the prison Nov. 1.

Blevins was arrested in a street car here election night after William Behnke, 2426 Union street, had surprised him in his house and been held up and robbed.

Hoover Hooks 2 Fish; 'Biggest One Got Away'

By United Press

A BOARD the U. S. Maryland, Nov. 22.—Stopping a battleship for the first time in history "just to fish" brought Herbert Hoover the angling luck Wednesday of two fish—and "the biggest one got away".

The President-elect's catch off of Cape San Lucas, Lower California, totaled a fifteen-pound dolphin and a ve-pound Spanish mackerel.

After ensnaring the mackerel and fifteen minutes' work to bring in the dolphin, Mr. Hoover found another "bite." The President-elect's line tangled with that of Mark Sullivan, political writer, and the fish that might have made Izaak Walton history, escaped.

Mrs. Hoover watched her husband's boat from the ship's deck with a pair of field glasses. She was the first to acclaim his luck to attending navy officers.

The Hoovers were served the President-elect's freshly caught mackerel for luncheon.

As the Maryl ad steamed southward cooks were preparing Mr. Dolphin in the ship's ovens.

CREW OF VESTRIS TESTIFY AT QUIZ

Disaster Due to Leak in Hull, Negro Sailor Suggests.

By HARRY FERGUSON

United Press Staff Correspondent

NEW YORK, Nov. 22.—The sinking of the steamship Vestris might have been caused by a leakage on the bottom, a member of that ship's crew told United States government investigators today.

A Negro named Barton, asked by Walter S. Brown, assistant secretary of the department of commerce, what had caused the Vestris to go down, replied:

"I don't know. It might have been a leak on the bottom."

He recounted that a "serious leak" but that the leak subsequently had been repaired.

Another witness said that ten hours after the general SOS was sent from the S. S. Vestris, staff members of the Lamport & Holt offices told him they had been working on the situation for twenty-four hours.

The witness was Henry J. Tilford who said he had appeared at the local offices of the company at 8:30 p. m., the Monday the ship sank, seeking to find the fate of a friend who was aboard the steamer.

The first witness today was Joseph Boxill, a Negro member of the crew.

Boxill said he first noticed a list on the Vestris on the Saturday night the ship left New York.

"Water was coming in the star board bilge," Boxill said. He said that by noon Sunday, the list had increased greatly. The alleyways were partly filled from the water, Boxill said.

Boxill testified that Freeman and Byron Matthews, another Birmingham-Southern student, came to the drug store where he worked at 9 p. m. last night.

"I told them to let me alone and not to bother me when I was working or there would be trouble," he said.

"Freeman kept on coming and I got the revolver out of a drawer and shot."

The shooting ended a series of battles between students of the two schools which began when a Howard student, later expelled, painted "To Hell With Southern" on a building at the "opposition" college.

The President indicated he never would sign the bill no matter what changes are made in it.

WASHINGTON, Nov. 22.—President Coolidge gave the Norris-Morin Muscle Shoals bill a pocket veto because he believed it would put the government into the retail power and fertilizer business, he told a congressional delegation which called on him at the White House today.

The President indicated he never would sign the bill no matter what changes are made in it.

WASHINGTON, Nov. 22.—Farm relief legislation largely should be passed by the short session of congress and the extra session, if there is one, should be devoted to general tariff revision, Representative John Tilson of Connecticut said at the Whitehouse today after conferring with President Coolidge.

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KING GEORGE ILL SUDDENLY; BRITAIN FEARS

Nation Agog as Press Tells of Second Attack of Fever.

VISITORS ARE BARRED

Parliament Is Surprised by Sudden Seizure; Not Serious, Say Doctors.

By WEBB MILLER,

United Press Staff Correspondent

LONDON, Nov. 22.—The British public was deeply concerned today over the sudden illness of King George V., but Buckingham palace officials gave assurance that there was no cause for alarm. The king, who is 63, is ill in bed with a cold and some fever.

The king's condition is not causing the slightest anxiety in the royal household, a palace official told the press.

"His majesty has contracted a slight, feverish cold, just as any of his subjects is likely to do at this time of year," the spokesman said.

"Acting on the advice of his doctors, he has taken to bed as a precaution until his slight feverishness has passed. I can assure you there is no need whatever for any anxiety over the king's general health."

Progress Satisfactory

It was understood the king was still progressing satisfactorily late this afternoon. The palace spokesman told the United Press there would be no further bulletin until 8 p. m.

The interest and concern of the public was manifest when several hundred persons more than usual braved a cold, windy, and rainy day to witness the 11 a. m. ceremony of changing the guard at Buckingham palace. The ceremony was accompanied by the usual selections of music played by a full military band.

Second Fever Attack

An indication that the king's condition was not considered serious was given when Queen Mary left the palace to officiate at a function in lieu of the king.

King George suffered a similar attack in 1925 when he contracted a feverish cold in February which was followed by influenza and bronchitis. He cruised for several weeks in the Mediterranean to recuperate.

News of the king's illness probably will not reach the Duke of Gloucester for several days, because he was reported to have left Wednesday on a trip up the Chambe river in a native canoe which will keep him out of touch with civilization for at least eleven days.

16 HURT IN BLAST

Glass Company Is Wrecked by Explosion.

By United Press

BARBERTON, O., Nov. 22.—An explosion partially wrecked the Pittsburgh Plate Glass Company plant here today. Sixteen men were reported injured. Every available physician was rushed to the scene.

The cause of the blast was not learned immediately. Police and fire departments were summoned and ambulances were sent to the scene.

First reports said a good many of the injured were expected to die. They were removed to hospitals.

Boy's Body Found on Tracks

By United Press

KOKOMO, Ind., Nov. 22.—The badly mangled body of a boy, found on the Clover Leaf railroad tracks near here, has been identified as that of Ralph Leppo, 15, by his father. The severed head was found approximately twenty-five yards from the remainder of the body. Charles Mark, who discovered the boy, said.

Close Historic Deal

Sell Chicago Bank Building for \$20,000,000.

By United Press

CHICAGO, Nov. 22.—The largest real estate deal in the history of Chicago was closed yesterday when the United Power and Light Corporation purchased the building and site of the National Bank and Trust Company, on South LaSalle street.

The price was reported to be \$20,000,000.

The building occupies a block and is twenty-one stories high.

Hourly Temperatures

6 a. m. 36 10 a. m. 30

7 a. m. 36 11 a. m. 38

8 a. m. 35 12 (noon) 39

9 a. m. 36 1 p. m. 38

20 TO GO HOME

Expects to End Vacation Saturday.

By United Press

BILOXI, Miss., Nov. 22.—Governor Alfred E. Smith may start back north Saturday, it was learned today. It is expected he will stop en route at Atlanta and Warm Springs, Ga., where Franklin D. Roosevelt is.

Governor Smith, after disastrous rounds of golf, had better luck fishing Wednesday. He caught seven sea trout while John J. Raskob, Democratic national chairman, caught a small croaker and a catfish.

Golf was on the program today.

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'HE SAILED PAPER SHIPS'—Taps—In a Mother's Heart for Sailor on Maine



Mrs. Turner is shown with the gold-framed picture of her dead son, Harry J. Keys, who went down with the battleship Maine.

HEAD OF CITY BANK IS DEAD

Augustus Jennings Passes at Home.

Augustus Jennings, 59, founder and president of the Colonial Savings and Loan Association, died this morning in his home, 2335 North Pennsylvania street. He had been ill two weeks with heart disease.

Son of the late John M. Jennings, Marion county pioneer, Mr. Jennings was born at Traders Point and moved to Indianapolis when he was 3 years old.

He was educated here, and after working in two Kansas banks, returned to be secretary of the Central Trust Company, later sold to the Farmers Trust Company.

In 1913 he and a brother, Conrad Jennings, formed the Colonial Savings and Loan Association and the Jennings Brothers Real Estate Company.

Survivors are the widow, two brothers and a sister.

\$530,000 FOR SEAT

New High Record Again Set on Exchange.

By United Press

NEW YORK, Nov. 22.—Expectation of continuation of the tremendous activity in the Stock Exchange was mirrored today in the announcement that arrangements were made for the sale of a membership of \$530,000, a new high record and an increase of \$5,000 over the last previous sale made Wednesday.

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