

DEFY JUDGE TO DISBAR GIVAN IN PERJURY TRIAL

Dunn and Attorney Will Fight Ouster Order by Collins.

County Attorney Clinton H. Givan and Paul S. Dunn, county counselman, today, in effect, defied Judge James A. Collins of criminal court to prevent Givan from appearing as attorney for Dunn in Dunn's perjury case.

In short, biting phrases the judge informed Dunn he would have to get another attorney to represent him because Givan had filed a "slandorous" motion for a change of judge in the case Saturday.

Defy Judge

Later Givan issued this statement: "There are going to be a lot of things happen in this case before it is through. I represent Mr. Dunn in this case and I am involved in several other cases in criminal court and I expect to continue to appear in criminal court."

Dunn commented thus: "I am going to look on the map and see whether I live in Indiana or Russia. Givan is still my attorney. I pay Givan and retained him because I thought he could satisfactorily represent me. When I am ready to change attorneys I will do so and not ask Collins to do it for me. I have instructed Givan to continue in this case and to take what steps he believes proper."

Terms Motion Rude

Givan Saturday filed a motion for change of judge on the ground that Collins, because of antipathy for the George V. Coffin Republican faction, of which Dunn is a member, was so prejudiced he could not give Dunn a fair trial on his indictment for perjury.

The grand jury has charged that Dunn falsely swore he owned property at the time he was elected county counselman, whereas, he did not obtain the property until many months after the election.

Collins termed the motion rude and insolent Saturday and told Givan he would pass upon the matter this morning, when an earlier plea in abatement against the indictment was to be argued.

Givan walked to the bench this morning. Collins looked straight over to Givan's head and inquired in loud tones: "Is Mr. Dunn in the courtroom?"

Dunn stepped up. Collins bored through Givan with a glance and said: "I'd rather for you to take a seat back there. I want to talk with Mr. Dunn."

Givan took a seat.

May Go to Supreme Court

Continuing to talk so he could be heard all over the courtroom Judge Collins said: "Mr. Dunn, your attorney, filed a motion before this court Saturday that was so slanderous that he has forfeited his right to ever represent you further before this court. I will give you until 9 o'clock Wednesday morning to get an attorney who can appear before this bench."

Meanwhile the motion for change of judge lays before the court without action. The plea in abatement also awaits action when Dunn gets a new attorney.

Givan indicated he might go to supreme court for some kind of relief.

Boys' Prep Semester Ends

Examinations Tuesday will complete the year's work at the Boys' Preparatory school, and pupils who have had honor reports for the first semester will be announced today.

The gymnasium is being repaired and will be in shape for the Red and Black netmen when they return from vacation.

Realty Chiefs



E. Kirk McKinney (above) of the State Savings and Trust Company is the newly elected president of the Indianapolis Real Estate Board. C. A. Dahlman (left, below) was elected secretary and N. C. Hilgenberg (right, below) was named treasurer.

RUMOR DAILEY GOING

Law Partners Refuse to Confirm Story.

Members of the law firm of Miller, Dailey and Thompson today declined to confirm the report that Frank C. Dailey, defeated Democratic candidate for Governor, is to move to California and his place in the firm to be taken by Everett Sanders, secretary to President Coolidge.

Dispatches to The Indianapolis Times from Washington stated that it is reported there that Sanders will join the law firm here when he returns as the President's secretary.

It also is current in Washington, according to the dispatches, that Sanders will be groomed to succeed Senator James Eli Watson, when Watson's term expires.

Samuel D. Miller, who is said to have conferred with Sanders at Washington regarding the move, refused to comment regarding it today.

Dailey already is in California and will not be in the city again until after the first of the year, it was reported at his office.

LUCKNER TELLS STORY OF CAREER, WAR RAIDS

Count von Luckner, famed German "Sea-Devil," who commanded the phantom ship Sea Eagle during the World war and sunk thousands of tons of allied shipping, told of his career at the Army Sunday afternoon as one of the series of lectures sponsored by the Orchard school.

The speaker pointed out that although his vessel captured and sank many ships all lives were saved by taking prisoners and crew aboard his vessel as prisoners.

He expressed great admiration for America and the American people and urged that old war wounds be forgotten and Germany and America return to the old pre-war cordiality.

Woman Severely Scalded

Severe scalds were sustained by Mrs. Bridget Cantion, 52, 957 East Maryland street, Sunday afternoon, when she spilled a small tub of boiling water upon her arms and legs.

She was taken to city hospital by Motor Policemen Oakley and Bushong.

INDIANA PRISON HEADS PROTEST BILL IN SENATE

State Control of Jail-Made Products Held Peril to Penal System.

WASHINGTON, Dec. 17.—The senate today began consideration of the Hawes-Cooper prison labor bill with protests and memorials against the bill signed among others by J. L. Moorman of Knox, president of the Indiana prison board of trustees, and H. K. York of Marion, a member of the board.

The bill would make prison products amenable to laws of the states into which they might be shipped, regardless of their having been in interstate commerce.

It represents the attempt of organized free labor to lessen competition from prison labor. It is estimated it might eventually cut off sale of all of Indiana's several million dollar yearly production at her prisons, as states into which this production now is shipped would be given the power to forbid its importation or sale.

Misrepresentation Charges

Like-wise, however, it would give the Indiana legislature the right to prevent or limit importation of prison-made products from other states as the Indiana law now stands, sale within the state of her prison products is forbidden.

Senator Hawes, of Missouri, co-author of the bill, placed in the Congressional Record today a huge mass of material including the order of the federal trade commission against the Commonwealth Manufacturing Company of Chicago, to cease selling goods made at the Michigan City institution, under the pretense they were factory made by free labor.

During the hearing on the bill a year ago it also was revealed that other products made at the Indiana state prison were sold in other states with the representation that they were factory made outside.

Fear for Penal System

The petition, signed by Moorman, among others, alleged that the bill would "destroy the penal system built up in a large majority of the states, after expenditure of millions of dollars."

It was claimed that prison populations would be thrown into idleness. Signers of this petition, beside Moorman, included A. F. Miles, superintendent of the Indiana reformatory; Ralph Howard, superintendent of the penal farm; A. L. Deniston, treasurer of the prison board of trustees; and Warden Walter Daly of the Michigan City prison.

York's letter expressed the belief that prisons eventually should produce manufactures only for state use and for sale to the federal government, but he said at least five years should be allowed for this transition. The bill as it now stands would give three years before it goes into effect. It has passed the house.

DIVORCES ON INCREASE AS MARRIAGE SLUMPS

Figures for 1927 Show Falling Off in Weddings.

WASHINGTON, Dec. 17.—Marriage decreased while divorce and population grew during 1927 as compared with 1926, according to commerce department figures published today.

The population increase between July, 1926, and July, 1927, was 1,493,000, but 1927 marriages numbered 1,202,694 as compared with 1,202,574 the previous year. Meanwhile, however, the divorce courts were busy, granting 192,037 divorces in 1927 as compared with 180,853 in 1926.

BANDITS ROB GAMBLERS

Machine Guns Used at Evansville to Get \$2,500 to \$3,000.

EVANSVILLE, Ind., Dec. 17.—Between \$2,500 and \$3,000 was obtained by nine men armed with machine guns and automatic revolvers who robbed patrons of a gambling resort here.

The bandits also held up a drug store proprietor in his place of business, inflicting severe injuries when they beat him on the head with butts of their revolvers. They obtained \$100 and a diamond ring and stud valued at \$400. No trace of the robbers has been found.

WAR ACE TO SPEAK

Captain Weir Cook Will Discuss Modern Trend of Aviation.

"The Modern Trend of Aviation," will be the subject of Captain H. Weir Cook, Indiana World war ace, before the Young Men of Indianapolis, at the Spink-Arms at 8 to-night.

Captain Cook is credited with downing seven German planes during the World war.

DISPLAY 8-DAY S O S

Automatic Radio Signal for Ships in Distress Is Demonstrated.

LLANGOLLEN, Wales, Dec. 16.—An automatic device by which radio signals would be sent continuously for eight days and give the name and position of a disabled ship, was demonstrated today by its inventor.

\$25,000 Loss in Church Fire

ALEXANDRIA, Ind., Dec. 17.—The Church of God temple here was damaged by fire to the extent of \$25,000. Recently the congregation held a meeting and burned a mortgage that had been held against the church. Church officials said the structure would be rebuilt.

DUVALL AND MOORE CHARGES NOLLED

Bank Check

NEW YORK, Dec. 17.—Mrs. Charles Fred went to visit her husband who is a night watchman for the National City Bank. He mistook her for a burglar and shot her in the thigh.

TRY STUDENT FOR SLAYING

High School Boy Accused of Killing Sweetheart.

ST. GEORGE, S. I., Dec. 17.—A slender young high school youth, nattily dressed in fashionable clothing, strolled into a supreme court room this morning and went on trial for murdering his 15-year old sweetheart.

Vincent Rice, 17, is charged by the state with beating Alice Joost, 15, and then strangling her to death with an electric light cord. He admitted the crime shortly after the murder.

Young Rice was composed as he was led, shackled into the court. He smiled reassuringly at his parents, Mr. and Mrs. Robert D. Rice, and nodded to several friends in the crowded court room.

Selection of the jury started shortly after 11 a. m.

AIDS DEBATE SQUAD

Arsenal Graduate Is Main Wittenburg Speaker.

SPRINGFIELD, O., Dec. 17.—When Wittenburg college here won the third consecutive championship in the Ohio debating conference this season, an Arsenal Technical high graduate of Indianapolis played an important part.

Vaughn Gayman, enrolled here as a junior, helped in victories on the jury question over Capital U, Toledo U, Hiram and Heidelberg colleges.

Stanley Raymer of Elkhart was another Indiana student who argued to a championship for Wittenburg.

HOME FOR CHRISTMAS FOLLOWING MISFORTUNE

Evansville Man Planned Trip Five Months Ago But Lost Money.

EVANSVILLE, Ind., Dec. 17.—Ray Wood, Jr., is here to spend Christmas with his mother after a series of misfortunes which started in Chicago five months ago.

In July Wood planned to return, but on the day he was to leave Chicago lost an \$85 cashier's check, part of which he had planned to use for railroad fare.

Unable to find work, Wood had roamed Chicago streets and a few days ago was picked up by police. He explained his troubles to them, and they arranged with the bank where he had obtained the lost check to reimburse him, as the other one had not been presented.

Again in possession of money, Woods was released and came here at once.

Gone, but Not Forgotten

Charles S. Berriman, 29 West Twenty-eighth street, Ford coupe, license 48-530, from 110 North Pennsylvania street.

C. A. Davis, Rochester, Ind., Chevrolet coach, 699-724, from Ohio street and Senate avenue.

Oral Postvedt, 1129 North Alabama street, Chrysler sedan, M 819, from Ohio and Pennsylvania street.

Luke Insbuit, 1429 Haugh street, Chrysler coupe, 665-704 from Tenth and Haugh streets.

John W. Hogue, 472 South Pine street, Ford sedan, license 565-546, from Prospect and Olive streets.

Everett Sturgis, 410 East Tenth street, Chevrolet coupe, from Washington street and Senate avenue.

H. R. Gregory, 273 North Warren avenue, Ford roadster, from in front of 273 Warren avenue.

Harold R. Parks, 30 West Market street, Akron, O., Hudson coach, license Ohio 971-227, from in front of the Spink hotel.

Clarence Hanes, 1219 West Thirtieth street, Overland, 524-100 from Pennsylvania and New York streets.

BACK HOME AGAIN

Stolen automobiles recovered by the police: Ford touring, license 163-165, found at the Harding street entrance of the stockyards, car stripped of four tires and battery.

Ford coupe, license 700-84, wrecked at Southern and Madison avenues.

Clint Thompson, Bloomington, Ind., Ford, found at Garfield park.

John Herbert Hunt, 812 North Rural street, Ford, found at 815 Prospect street.

John W. Hogue, 472 South Pine street, Ford, found at State avenue and Prospect street.

Indictments Dropped in Court by Order of Prosecutor.

Indictments against former mayor John L. Duvall; Boynton J. Moore, former councilman; William C. Buser, Duvall's city controller; Arthur Rahke, charged with gaming and Mrs. Harriet Owsley, charged with the sale of liquor, were nolledd today in criminal court by the county prosecutor's office.

The action was six months late. The cases, which were at issue during the January term of court, should have been nolledd prior to June 30, under court rules.

The indictments against Duvall were returned in 1927 when the grand jury was conducting an investigation of alleged political corruption. Duvall now has a conviction on appeal before the supreme court of thirty days in jail and \$1,000 fine for violating the corrupt practices act for his alleged acceptance of \$14,500 from William H. Armitage, politician.

The same evidence which was presented in this case would be used in the cases that were pending, the nolle order stated. Those nolledd charged violation of the corrupt practice act; conspiracy to commit a felony in making a false statement with Buser and perjury in a voluntary affidavit.

The corrupt practice act indictments charged that Duvall offered jobs to many politicians, most of them members of the Marion county Klan. The other two alleged that Buser and Duvall failed to set out in the election contribution statement that Duvall received \$14,500 from Armitage and that he had promised to permit Armitage to appoint to works board members.

There were four indictments against Moore for bribery. He is alleged to have accepted money to influence his vote on various matters before the council when he was a member. Moore was convicted on a similar charge several months ago and sentenced two to fourteen years in prison but the sentence was remanded by Governor Ed Jackson. This conviction was given as the reason for the nolle.

Mrs. Owsley's conviction in federal court was given as the reason for the dismissal of the allegations against her and Rahke was released because he testified before the county grand jury.

CAROLERS TO SING

Teachers' Choir Gives Program Tuesday Night.

The annual Christmas candle-light vesper musical program will be sung Tuesday night by the Teachers' College Glee Club choir. The choir has fifty members.

The choir, clad in white vestments, will sing in front of a curtain of virgin blue.

In addition to familiar carols the program will include old Christmas songs from other lands.

The choir is directed by Mrs. Ruth O. Benedict.

She will be assisted by Miss Esther Thornton, guest soloist; and Miss Twanette Nutter of the college music department.

PASSING CAR HITS MAN

Ora T. Hill Suffers Bruises When Struck by Auto.

Cuts and bruises were suffered by Ora T. Hill, 54, of 1057 Berwick avenue, Sunday night, when a passing automobile hurled him against a parked car, on Carson avenue near stop 6. Frank Ferguson, 1445 Troy avenue, in whose car Hill was a passenger, had stopped on the road to repair a light when the passing car struck Hill. He was taken home.

FALLS TO HIS DEATH

Negro Porter Killed When He Attempts to Close Window.

Charles Tarrant, Negro, porter at the Grand hotel, 117 South Illinois street, was killed this morning when he fell from a fourth story window to the street. Death, from a broken neck, was instantaneous.

The sound of the fall was heard by Henry Pedlow, 1134 1/2 Church street.

Tarrant, it is believed, lost his balance while trying to close a window.

USED 15 YEARS, FINDS IT THE BEST

Foley's Honey and Tar Compound stands at the top of the list of family remedies for coughs, colds, croup, whooping cough, bronchial and flu coughs. W. L. Anglin, Antioch, La., says: "After 15 years of use I can still say Foley's Honey and Tar Compound is far and away the best family cough medicine for children and grown persons." Try it. All Haag Drug Stores.—Advertisement.

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HOOSIER HEADS LABORATORY

ECONOMY, Ind., Dec. 17.—Dr. Herbert C. Clark, who was born here fifty-one years ago, has been appointed director of the new Gorgas Memorial laboratory to be opened at Panama City, Panama.

Jan. 1. Dr. Clark obtained part of his education at Earlham college, Richmond.

CHARGED WITH WOMAN'S DEATH

Vincennes Man on Trial at Washington.

WASHINGTON, Ind., Dec. 17.—Dora Brown went on trial in Davies

circuit court here today charged with the murder June 10 last of Mrs. Laura McMahon, his housekeeper. The case was brought here on a change of venue from Knox circuit court at Vincennes.

It was indicated Brown would plead self-defense. Mrs. McMahon was found dying from a bullet

wound and Brown was nearby with a razor wound on his throat.

As a motive for the slaying, the state is expected to show that Brown was jealous of Orville Moore, Indianapolis, declared to have been a lover of the slain woman who had been married four times, and divorced three.

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