



## ROOT TWIRLS FOR CUBS AGAINST A'S

## PETTY GUILTY, IS VERDICT IN SECOND TRIAL

Jury Recommends Sentence of 30 Days at Farm, \$100 Fine.

## DEFENSE TALKS APPEAL

Judgment Finds Sheriff's Deputy Was Drunk in Car Collision.

Elmer E. Petty, deputy sheriff and Fifteenth ward Republican chairman, today was found guilty of drunkenness and driving an auto while drunk by a criminal court jury.

The jury, in a sealed verdict to Judge James A. Collins, recommended that Petty be sentenced to thirty days on the state farm and fined \$100. The jury reached a verdict Friday after an hour's deliberation following trial.

Collins probably will pronounce formal sentence on Petty Monday. Attorneys for the deputy sheriff said they may appeal the case to the supreme court.

## Pleaded "Not Guilty"

A jury which heard evidence in Petty's trial three weeks ago, failed to reach a verdict after thirteen hours deliberation, and was discharged. They were deadlocked at an eleven to one vote for conviction. Petty had pleaded not guilty to the charges, steadfastly maintaining he was "framed" by persons implicated, because he denied his responsibility for the accident.

Petty was driving a deputy sheriff's car June 6 when he crashed into another car driven by John Stack, 1364 Roache street, at Sixteenth street and Riverside drive, damaging both cars.

Five state's witnesses testified the odor of liquor was strong on Petty's breath at the time, and that he declined to be taken to a hospital because, he is alleged to have said: "It would mean my job and would hurt the sheriff's office."

## Intimidation Is Charged

Among defense witnesses who testified Petty was not drunk when he reported the accident to his superiors, were Sheriff George L. Winkler, two newspaper reporters, an Indianapolis coal dealer and two clerks in local furniture stores.

Prosecutor Judson L. Stark, who with Chief Deputy Paul Rhoads, mer, conducted the state's case, charged at Petty's first trial that attempts had been made to intimidate witnesses. At that time two of the witnesses testified that they had been told by anonymous persons "not to be too hard on Petty."

Defense counsel, Earl Cox and Harvey Graybill, attempted to show that state's witnesses "were linked in a plot to get Petty's job." Judge James A. Collins was trial judge in the second trial.

## HOGS GAIN 10 TO 20 CENTS AT CITY YARDS

Cattle Unchanged; Vealers Steady at \$16 Down.

Hog prices were mostly 10 to 20 cents higher today at the city stock yards. The bulk, 160 to 300 pounds, sold at \$10 to \$10.25. Receipts were small at 4,000; top price, \$10.35; holdovers, 183.

Cattle were scarce and steady, not enough to make a market. Bulk for the week was \$11.50 to \$15.40; top \$15.50. Vealers were unchanged, selling at \$16 down.

Sheep and lambs were steady at Friday's best prices. Better grade of lambs were selling at \$13.50 down, the market was slow with indications pointing to a lower market.

Chicago hog receipts were estimated at 5,000, including 4,000 direct. The market was mostly 10 cents lower than Friday's average. Holding choice of 240 to 270-pound weights, sold at \$10.15. Cattle receipts 300; sheep 4,500.

## DOCTORS AT MEETING

Drs. Jaeger and Doeppers Attend College of Surgeons.

Dr. A. S. Jaeger and William A. Doeppers, city hospital superintendent, today were in Chicago to attend the American College of Surgeons convention. Dr. Jaeger, who is a fellow of the college, will meet with the clinical conference of the organization and Dr. Doeppers will attend the hospital conference.

## ORAN PERRY UNCHANGED

Monument Superintendent Suffering From Heart Attack.

Condition of Colonel Oran Perry, superintendent of the Soldiers' and Sailors' monument, who is suffering from heart disease, remained unchanged today. He has been ill at his home, 1220 Central avenue, several days.

## CUE LINES ARE FORGOTTEN BY PANTAGES CAST

Theater Workers, on Stand in Assault Trial, Unshaken in Testimony They Were Coached by Millionaire.

LOS ANGELES, Oct. 12.—Actors in the most important "show" in the experience of Alexander Pantages—his trial on a charge of assaulting a 17-year-old dancer—have not been speaking their lines as the millionaire theater man asserted coached them to do.

One after another, his employees have admitted he told them what to say to the district attorney and what to tell from the witness stand regarding events in the "conference" room in the Pantages building that Eunice Pingle claims was the scene of the attack.

"Mr. Pantages told me what to say," was the testimony of Tillie Russo, pretty 19-year-old usherette in the Los Angeles Pantages theater, and she stuck to it through attempts of defense attorneys to break it down Friday.

Her nerves overtaken by the ordeal, she collapsed into the arms of a bailiff as she left the stand. Monday, she must undergo another cross-examination.

The story of the enormous but resolute little usherette struck a heavy blow at the defense of her employer. It followed similar testimony of two other Pantages employees.

## "This Is Your Story"

"Mr. Pantages told me," said Miss Russo, "This is your story. Say that Miss Pingle came into the balcony of the theater alone and that she left alone. Three minutes after she left, you heard the screams. Stick to that three-minute stuff."

"Now, Miss Russo, was that the truth?" District Attorney Buron Pitts inquired of the white-faced girl.

"No, sir," she answered in a faint voice. "Mr. Pantages showed her to a seat in my section and he came and got her after a while. It seemed like the screams came a half-hour after she left."

Miss Pingle, who had hoped to obtain booking on the circuit, testified last week that Pantages lured her to the room to discuss business and then made love to her and consummated an attack.

Roy Keene, assistant manager of the theater, was required to tell the jury that he saw Pantages go to the room to discuss business and then made love to her and consummated an attack.

"A few minutes after Miss Pingle screamed, Mr. Pantages pointed to a table in his upstairs office and told me to put it in the mezzanine floor room," Keene related. "I did. He told me, too, to take everything else out of that room. He gave me the key to the room."

"What did you find in the room?" "Some broken ear rings on the floor. I picked them up and put them in my pocket. I threw the ear rings away in the men's rest room."

"Next day I saw Pantages and I told him what I had done with the ear rings. He said: 'That's good.'"

## WEATHER TO CLEAR

Sun Expected Before Grid Teams Kick Off.

As thousands of football fans prepared to view Indiana's seven college gridiron battles today, J. H. Armington, meteorologist, predicted the weather would clear before the kick-offs.

The overcast condition probably will break before noon and the sun may shine before the games are completed," Armington said.

Those who attend night games will be greeted with cooler weather, Armington said.

## RETIRED MINISTER IS DEAD AT HOME HERE

Hugh Clark Funkhouser Held Pastorate Five Years.

Funeral services for the Rev. Hugh Clark Funkhouser, 75, of 2512 Park avenue, retired Congregational minister, who died at his home Friday afternoon, will be held Monday at 2 at the William H. Krieger undertaking establishment, 1402 North Illinois street. Burial will be in Crown Hill cemetery.

Mr. Funkhouser came to Indianapolis in 1904 and held the pastorate of the Brightwood Congregational church until he retired in 1909. He is survived by the widow, Mrs. Laura Funkhouser; two daughters, Miss Alta E. Funkhouser and Mrs. Edith Berry, both of Indianapolis; and three sons, Dr. R. M. Funkhouser and Dr. A. G. Funkhouser, Indianapolis, and Dr. W. H. Funkhouser, Lexington, Ky.

## ORDER ACTOR CONFINED

LOS ANGELES, Oct. 12.—Norman Trevor, screen actor, who became famous for his work in "Beau Geste" and "Sorrell and Son," has been ordered confined in the Norwalk state hospital for the insane.

Trevor was brought into court last April by his friend, H. B. Warner, after a complete mental and physical breakdown. He was allowed to return to his \$870 a week screen job, but his condition became so serious Friday, he had to be incarcerated.

## PREMIER, 63 TODAY, RESTS IN SECLUSION

MacDonald Observes Natal Day Quietly in His Hotel Suite.

## ISHBEL HAS 'SURPRISE'

Statesman Fights Fatigue Induced by Arduous Schedule.

BY JOSEPH GORDON

United Press Staff Correspondent

NEW YORK, Oct. 12.—Ramsay MacDonald today marked his birthday in a luxurious hotel suite more than 3,000 miles away from Lissie-mouth where he was born 63 years ago in a fishing shack on the bleak Scottish shore.

He apparently regarded his birthday as unimportant; there was the bigger business of working for world peace to engross him. The prime minister's daughter Ishbel had what she called a "surprise" for him, but that was a family matter and neither chose to reveal the nature of their modest celebration.

MacDonald obviously was tired from the round of dinners, receptions, speeches and conferences, which have been on his schedule since he arrived here from England a week ago Friday.

## Fatigue Apparent

Today he was to have an opportunity to rest. His weariness was apparent when he reached New York from Washington, but it was not until Friday night that the fatigue crept into his resonant voice.

The prime minister already had made three speeches during the day before he arose at the banquet of the council on foreign relations Friday night to make another address. It was the most lengthy one of the day, filled with MacDonald's graceful phrases and a renewed plea to "enthroned peace all over the world."

Radio carried his message throughout the United States and across to England, where it was broadcast.

Elihu Root, chairman at the dinner, introduced MacDonald as one who fought for peace "with the weapons of frank and open friendship."

## Problem Not Simple

MacDonald emphasized that the problem of moral and physical disarmament was not a simple one.

"This is the problem of statesmanship," he said. "On the one hand you get your moral disarmament. Sentiment is with you, pity is with you, resolutions read fair and sound well that are carried unanimously. But the moment you start to apply them for the purpose of transferring the mentalities of peoples from a mentality security to a mentality of political security, then the poor statesman is beset by a thousand and one exceedingly intricate problems."

"Obviously, the first step that can be taken to prove our sincerity is that you and we say to each other, 'We are beginning to get indifferent as to our relative fighting force. What is the use of troubling about something that never is going to be used?'"

## SHUMAKER IS 'LOW'

Dry Chief's Condition Still Judged Serious.

Dr. Edward S. Shumaker, Indiana Anti-Saloon League superintendent, continued in serious condition today at his home, 2232 Broadway, where he is confined, suffering from a liver ailment.

Dr. C. H. Winders, temporary league superintendent, said Dr. Shumaker "rested well Friday night and is resting quietly this morning."

## STATE OFFICERS NAMED

Savings and Loan League Names Carl J. Weber President.

Carl J. Weber of Ft. Wayne was elected president of the Savings and Loan League of Indiana at the closing session of the league's annual convention at the Lincoln Friday.

Other officers elected were: Lewis Librand, Terre Haute, first vice-president; H. A. Strossweg, Evansville, second vice-president; George F. Odgen, Peru, secretary, and J. E. Pierce, treasurer.

## BOYS, 9 AND 7, ARE HELD FOR SLAYING

Confess Degenerate Attack on Lad, 3, Resulting in His Death.

MILFORD, Conn., Oct. 12.—Having confessed to the killing of 3-year-old Albert Mikens of Ansonia—one of the most shocking crimes on record here—John and James Mulligan, aged 9 and 7 respectively, today faced arraignment as "delinquents."

Under a statute, the two county wards could not be arraigned on a more serious charge. As delinquents, they may be sentenced to an indefinite term in Cheshire reformatory, not to exceed twenty-two years, or may be confined to the state home for feeble minded.

The brothers, described by Deputy Coroner James J. Corrigan as "moral degenerates," were in the juvenile detention home at New Haven today awaiting a new finding in the case by Corrigan. After investigation of the crime last August, Corrigan had ascribed the attack to a "person or persons unknown."

According to the statements the boys made to police, they had not intended to kill Albert. After playing with him at Walnut Beach they had taken him into a swamp and attacked him, they are alleged to have said. Holding Albert's mouth to prevent outcry, they prevented his breathing, medical examination having shown the child was a "mouth breather."

## Looking for a 'Break'



Just an impatient little girl, roaming Hollywood and looking for the "breaks" which have failed to put in an appearance, is Kathryn Stanley, known around the cinema village as "the last of the old school." The description is apt, but somewhat misleading, for Kathryn is far from old. She is a graduate of the Mack Sennett lot, which has produced such stars as Charlie Chaplin, Fatty Arbuckle, Gloria Swanson, Phyllis Haver, Louise Fazenda and others. With only three years' experience in the films, Kathryn might be suspected of being a trifle impatient at her lack of immediate success, but the above photo seems to guarantee its coming.

## FINGER PRINTING FOR AUTOIST URGED

Crime Conference Hears Program Outlined by Fifield.

BY DANIEL M. KIDNEY

Secretary of State Otto G. Fifield took the platform at the final session of the Governor's crime conference this morning and offered definite suggestions for a program. These included:

Election of all sheriffs and prosecutors for a four-year term, instead of two.

Better pay and higher qualifications for these offices.

Prosecutions under the habitual criminal act whenever possible.

Payment of fees for state witnesses.

Change of venue for the state.

Conviction by a five-sixths jury in misdemeanor cases.

## Based on Experience

Fifield based his recommendations to the conference upon his experience as secretary of state.

"It has been the custom of long standing among police officers to try to make individual cases for the glory contained therein," the speaker pointed out in discussing state police work. He said that all the state asks is a chance to aid and the local police can get all the glory.

## Co-operation Is Asked

Indiana police chiefs, sheriffs and railroad police were urged to select an advisory committee to co-operate with the criminal bureau, the selection to be made through their associations.

Finger printing all applicants for driver's license also was suggested.

M. E. Foley, secretary of the Indiana state prison trustees, presented a comprehensive survey of the indeterminate sentence and parole laws of the state. He has served as trustee for twenty-two years.

Since paroles were inaugurated thirty-two years ago, 8,627 prisoners have been paroled, Foley said. Thirty-three paroles were revoked before release of the prisoner. Of those released, 2,011 violated parole rules, 1,339 were returned to prison, and 672 still are at large.

Discussing action of the present trustees functioning on parole and pardon matters, Foley declared: "Our acts have been in good faith and no sinister influences, political or otherwise, have ever interfered with our decisions or conclusions—sitting as a parole board."

"This public position is not a pleasant one, but I am hoping for better things in the Hoosier commonwealth."

## MACK'S PITCHER IN FOURTH GAME OF SERIES IS MYSTERY; WEATHER CONDITIONS IDEAL

Bruins Determined to Even Annual Classic After Winning Third Fray Behind Fine Hurling of Guy Bush.

## HORNSBY AND CUYLER SHINE AT BAT

Mercury Rises Slowly at Philadelphia, Where Rivals Resume Battle for World Baseball Championship.

BY FRANK GETTY

United Press Sports Editor

PHILADELPHIA, Oct. 12.—The 1929 world series was resumed here today with the Philadelphia Athletics leading the Chicago Cubs two games to one.

A courageous pitching effort by lanky Guy Bush and a timely recovery of a missing batting eye by Kiki Cuyler had put the Cubs, winners in the third game game by a score of 3 to 1, within striking distance of evening up the series, and the National League champions went out today determined to do so.

The weather man continued to smile on the annual baseball classic today and pronounced fair weather with slowly rising temperature.

The sky which became overcast during the night, began to clear this morning and prospects were for excellent baseball weather for the fourth game of the series.

## Page Mr. Vance

CHICAGO, Oct. 12.—By the verdict in the "Canary Murder Case," Mrs. Nellips Lyons will get a new canary. James Riley, boarder at her home, couldn't sleep for the twittering of Dickie. He wrung the little fellow's neck and flung him out the window. Judge Phillip J. Finegan exacted Riley's promise to buy Mrs. Lyons another canary and to control his temper hereafter.

## Foxy Is Baffled

The Mackmen did not show to advantage in their first appearance before their own fans Friday. Jimmy Foxx, the versatile first baseman, who was the hitting hero of the games in Chicago, couldn't bat a ball out of the infield. Al Simmons went hitless.

Jimmy Dykes, most popular of the whole lot with the Shibe park fans, had the misfortune to contribute the misplay which helped along the three-run Chicago rally in the sixth inning.

The rally was featured by timely hits by Rogers Hornsby and Kiki Cuyler, who, in a measure, thus redeemed themselves for earlier errors of omission.

## Bush Big Star

But it was the lion-hearted work of Guy Bush, the soft-spoken, drawing Mississippi, who pitched himself and his ball club to victory despite constant trouble, which was most responsible for the Cub's first victory of the series, which also was the first achieved by a National League contender in three successive years of World Series play.

Not only are the Cubs decidedly better off mathematically as a result of winning the third game, but they should prove a vastly improved ball club with the encouragement they received from their victory.

The spell is broken. They have proved that they are not destined for any such devastating defeat as overtook Pittsburgh in 1927 and the St. Louis Cardinals in 1928. They have a fair chance of coming through now to win the 1929 World Series. If they go down, it won't be with a coat of whitewash.

## RECEIVER OF DEFUNCT BANK SUES ON NOTES

Three Actions Brought for \$5,700 Due Institution at Hope.

Three suits to recover a total of \$5,700 on notes held by the defunct Citizens National bank of Hope have been filed in federal court by Charles H. Ellis, receiver.

Defendants and judgment asked are: Rush W. Isley and L. M. Isley, R. R. 4, Shelbyville, \$500; John G. Schaefer, Hope, \$3,500, and Willie R. Carman, Cecil B. Carman and Georgia A. Isley, \$1,400.

Herman A. Stewart, former cashier of the bank, has pleaded guilty to nine counts of a federal indictment charging embezzlement, which resulted in closing of the bank.

## ARGENTINA CELEBRATES

Festival Is Observed on Anniversary of Birth of Columbus.

BUENOS AIRES, Oct. 12.—All Argentina turned out in holiday spirit and attire today to celebrate the day of the race (El Dia de la Raza), a festival dedicated to her people's Latin origin and observed on the anniversary of the birth of Christopher Columbus.

While the major exercises centered here with the participation of President Hipolito Yrigoyen and 10,000 of the military, the day was celebrated throughout the nation in similar manner.

## Hourly Temperatures

6 a. m. .... 58 9 a. m. .... 57 7 a. m. .... 59 10 a. m. .... 56 8 a. m. .... 58