



The Indianapolis Times

HOME

Unsettled with rain tonight and Tuesday; somewhat warmer tonight with lowest temperature about 35.

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STIMSON ASKS ADHERENCE TO WORLD COURT

Senate Approval Now Is Only Obstacle in Way of Membership.

CREDITS ROOT FORMULA

Conditions Make Espousal of U. S. Essential, Says State Secretary.

BY LYLE C. WILSON

United Press Staff Correspondent

WASHINGTON, Dec. 9.—Secretary of State Stimson today urged American adherence to the world court as Charge D'Affaires Jay Pierpont Moffat in Switzerland

obeyed orders by signing documents which require only senate approval for this country to become a court member.

Stimson claimed for President Roosevelt and his secretary of state, Elihu Root, credit for originating the world court concept in its present form. He pronounced the senate's objections to adherence to have been met and pleaded that the Kellogg anti-war pact had changed world conditions so as to make American membership essential.

In his plea for the court, which will become the text book of debate if the senate proves recalcitrant, Stimson hinted President Hoover's belief the next step in guaranteeing peace in the world is to obtain international agreement upon a code of international law. The United States, he has informed Mr. Hoover, now may safely adhere to the world court, or as it more properly is called, the permanent court of international justice.

Not Mere Appellate

The secretary forcefully challenged suggestions the court is a mere appellate of the League of Nations. The court, he said, is the independent authority of states signatory to it and it did not become effective by action of the league but by action of those states. After signature of the documents in Switzerland, the court submission is ready at any time for submission to the senate. The United Press was informed at the state department.

The state department today made public an exchange of letters in which Mr. Hoover authorized Moffat to sign in Switzerland and in which Stimson submitted a lengthy brief in support of this order. Stimson reviewed the history of the court idea and analyzed the action of the senate in making reservations to American adherence. Of the five senate reservations, Stimson said, only one, the fifth, was objected to by court members. This reservation is as follows:

Opinions Limited

That the court shall not render any advisory opinion except publicly after one notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned; nor shall it without the consent of the United States entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest.

It was to meet the situation created by court members' refusal to accept this reservation that Mr. Hoover before his inauguration asked President Coolidge to reopen the subject. Elihu Root then went to Geneva as a member of a commission of jurists authorized to amend the court statutes. His instructions from Mr. Hoover were to obtain a substitute for the senate's reservations to American adherence. The result was the Root formula.

In applying this formula to reservation No. 5, Stimson divided the reservation into three parts.

1. No advisory opinion shall be rendered except publicly and after due notice.

Procedure Guaranteed

Stimson said the court statutes will guarantee that procedure.

2. No advisory opinion shall be made without consent of the United States in any dispute in which this country has an interest.

Stimson pointed to the amendment to the court statutes which will compel the court to refuse to consider a case in which one of the interested parties refuses to consent to consideration and he said this amounted to the right of veto in this category.

3. No advisory opinion shall be made without consent of the United States in any matter in which the United States claims an interest.

Stimson said the scope of this part of the reservation was extremely narrow and need for its application probably never would arise. But if it did arise and the United States was unwilling to forego objection and could not prove more than a claim to an interest in the matter in hand, this country could resign from the court without "imputation of unfriendliness or unwillingness to co-operate generally for peace and good will."

Thus Stimson disposed of the fifth senate reservation and pronounced all the senate's objections to have been met.

Former Judge Lindsey Disbarred in Fee Case



Ben B. Lindsey

113 KILLED IN FIERCE GALES

Terrific Storms Take Huge Toll in Europe.

By United Press

LONDON, Dec. 9.—A new storm

raced in from the Atlantic today and struck the Scilly islands with great force, renewing the gales and heavy rain which have battered the coast for five successive days.

The fresh attack of the elements came after a short lull in the storm which has taken a toll of at least 113 lives, and damaged ships and property to the extent of millions of dollars.

The storm was described by officials as the worst in the last century. Mighty ocean liners were tossed about on the English channel, some of their passengers injured and others exhausted as the ships struggled in the face of 100-mile an hour gales.

Smaller vessels were completely at the mercy of the wind and dozens of distress calls were sent out, many of which could not be answered by tireless but over-burdened rescue forces.

A carefully checked death list, which indicated that complete reports would show a much larger toll, follows:

England (land)	10
British Isles (drownings)	46
Spain	15
Netherlands	15
Belgium	15
France	2
Portugal	4
Denmark	4
Germany	8
Total	113

MRS. SLACK IS DEAD

Mayor's Mother Succumbs to Heart Attack.

Mrs. Nancy O. Slack, 78, mother of Mayor L. Ert Slack of Indianapolis, died at her home at Trafalgar 6 Sunday night from a heart attack. Mayor Slack was at her bedside.

Mrs. Slack was a pioneer of Johnson county. Her husband, Elsha O. Slack, and her son, Mayor Slack, and three daughters, Mrs. Guy Clure, Indianapolis; Mrs. Webb Hunt, Muncie, and Mrs. Ferguson of Indianapolis survive her.

Funeral services will be held at Trafalgar at the Christian church at 1:30 Tuesday afternoon, with burial at Mt. Pleasant cemetery.

Sterling R. Holt, city controller, today ordered closing of city hall Tuesday afternoon out of respect for the mayor's mother. A floral tribute was sent to Trafalgar by city employees today.

3 CHILDREN KILLED IN HOME BY BOMB

By United Press

BROOKLYN, N. Y., Dec. 9.—Threatening letters and family quarrels over "another woman" provided the only clues police had today in their hunt for a fiendish murderer whose bomb killed three children as they prepared for church.

The bomb, wrapped as a Christmas package, was left on a kitchen table in the home of Joseph Falzone, well-to-do resident of an Italian neighborhood. Three of Falzone's five children found it when they got up Sunday morning. They exclaimed happily as they saw the Christmas trimmings. Mary, 15, and Phillip, 13, were killed instantly. Rose, 8, was pierced mortally by steel slugs, which the bomb contained.

Falzone, partner in a stone-cutting plant, was held for questioning. He said he returned to the city Sunday night from a hunting trip of several days in Pennsylvania. His story was substantiated by four companions, who swore he had been with them constantly since last Thursday. He swore to kill "those who did the thing."

Falzone immediately recalled letters he received last month demanding money and warning him to get out of the country. Police

By United Press

DENVER, Dec. 9.—At the finish of a twenty-five-year fight against the corrupt forces in this state, Judge Ben B. Lindsey, famous founder of the juvenile court system, today lost his battle and was disbarred by the Colorado supreme court.

For twenty-five years Lindsey was the leader of the forces of reform. He forced reforms of various kinds. He compelled honesty in elections where frauds had existed. On one occasion he sent the head of a great utility company to jail for contempt, an act never forgiven.

Lindsey became nationally famous in 1909 when he wrote an exposure of political corruption in his book entitled "The Beast in the Jungle." Its influence went beyond the borders of the state. From that time, Lindsey became even more marked for the hatred of the politicians of both parties.

One of the ironies of the situation is that the opinion disbarring Lindsey was written by a judge who himself faced impeachment proceedings before the legislature during the long fight made by Lindsey.

The charge against Lindsey was that he had received \$37,500 from the estate of the late W. E. D. Stokes of New York, in obtaining a settlement for the minor children of

Stokes whose divorce suit against his wife attracted national attention.

The accusation carried with it the charge that Lindsey had received \$10,000 as a part of a fee paid to Samuel Untermyer, famous lawyer who acted for Mrs. Stokes.

Lindsey explained the innocence of the transaction and the services rendered after he had been forced from the bench, but the explanation was not received by the court, elected by the forces which Lindsey had fought for years.

In his book, Lindsey predicted years ago that the forces which he calls "the beast" finally would conquer any one who opposed them.

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By United Press

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Brookhart said Mellon should be removed from office and that the issuance of domestic liquor permits and border patrol work should be investigated.

The Iowa senator reported seeing fewer intoxicated persons in the capital today than in 1896, when there was a bar in the house restaurant.

"I saw more drunk congressmen than I have seen drunk people during the seven years I have been here," Brookhart said.

"Any action the grand jury decides upon in the Fahey dinner case must be taken before midnight tonight under the statute of limitations."

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By United Press

WASHINGTON, Dec. 9.—The oath of office was administered by Vice-President Curtis today to two newly appointed Republican senators, Patrick J. Sullivan of Wyoming and David Baugh Jr. of New Jersey.

By unanimous consent as a matter of routine, the senate referred Sullivan's credentials to the senate privileges and elections committee for investigation after he was sworn.

By United Press

LOS ANGELES, Dec. 9.—Police and bandits fought a battle on Los Angeles streets today before small crowds which paid little heed, assuming "it was just another movie scene."

Two policemen chased two bandits, who commandeered a milk truck, through the fashionable Wilshire district. Both sides fired with pistols and rifles. The bandits escaped.

Hourly Temperatures

6 a. m.	30	10 a. m.	32
7 a. m.	30	11 a. m.	34
8 a. m.	31	12 (noon)	34
9 a. m.	31	1 p. m.	34

FIRE DAMAGES CARS

Youthful Incendiaries Are Suspected by Local Police.

Boy firebugs are blamed for damage to two automobiles in the 1200 block on Beecher avenue Sunday morning.

A car owned by John Jones, 1222 Beecher avenue, was damaged \$100 by fire and another car, the owner of which has not been located, was damaged \$150 about the same time. The license on the second car was issued to Vernis Jones, 1226 College avenue.

Both cars were parked on the street and neither had been operated for some hours, fire officials said.

Fire caused by a lighted match dropped down a clothes chute did \$100 damage at the home of Jack Westfield, 17 East Thirty-seventh street, early today.

WOMAN DIES OF RADIUM POISON

By United Press

ORANGE, N. J., Dec. 9.—An autopsy has established definitely today that Mrs. Quinta McDonald, one of five women formerly employed by the United States Radium Corporation, died of radium poisoning.

The medical examiner who performed the autopsy in the presence of a number of prominent doctors, said Mrs. McDonald weighed only seventy-seven pounds at the time of her death. Her normal weight was 140 pounds. The radium had affected various organs and tumors had developed.

The radium emanations will be extracted from the body by a New York toxicologist.

By United Press

WASHINGTON, Dec. 9.—Further unverified reports of disorder in Haiti reached Washington as 500 American marines approached the Negro republic aboard the aircraft tender Wright, which is due to reach Port Au Prince Tuesday.

President Hoover's request for authority and funds to send an investigating commission to Haiti is before congress and probably will be granted Friday. In a comprehensive report upon Haitian conditions, the foreign policy association today urged Mr. Hoover's commission should include an American Negro.

The association report discussed "American occupation of Haiti" which began by order of President Wilson in 1915. While conceding the occupation had restored order, initiated public works and organized health activities, the report said it had maintained Haitian government on a lower level of democracy than that of Porto Rico and the Philippines.

Authority Concentrated

"American authority in Haiti," the report says, "consists of an American high commissioner, General John H. Russell, five American treaty officials and about 200 other marine and naval officers and civilians."

"Actual responsibility for the administration of practically every department in the local government except justice and literary education has been concentrated in the hands of these Americans."

"During the American occupation, all popular control over the Haitian president (Louis Borno) has been abolished. The Haitian legislature has been suppressed in favor of the council of state, a body composed of twenty-one members appointed by the president with power to adopt legislation and to elect the president. No elections for the Haitian parliament have been held since 1917."

The report says Borno has been kept in power by the American occupation and that American officers in the gendarmerie have executed his orders for suppression of newspapers and political meetings.

Postponement Blamed

The present situation is attributed largely to popular resentment against Borno's intention, announced Oct. 12, again to postpone parliamentary elections.

Borno subsequently announced he would not be a candidate to succeed himself next year and this decision is understood to have been made on suggestion from Secretary of State Stimson.

For solution of the Haitian problem, the association recommended: 1. Replacement of American military men with civilians.

2. Withdrawal of the marine brigade.

3. Imposition of greater responsibility on Haitian officials.

4. Election of a parliament and abolition of the council of state.

BRING NO INDICTMENTS

Lack of Evidence Is Referred to Be Grand Jury in Probe.

By United Press

WASHINGTON, Dec. 9.—The grand jury that investigated the alleged "wet dinner" given to senators here by Walter J. Fahey, New York broker, three years ago, failed today to return any indictments in connection with the incident. Senator Smith W. Brookhart was one of the important witnesses during the hearing.

Due to what it termed lack of evidence and the lapse of time between the alleged violation of the prohibition law and the statement of facts concerning the affair, the jury report to Justice Peyton Gordon that it was impracticable to consider further action.

HURLEY IS CONFIRMED

Senate Approves Successor to Good With Quick Vote.

By United Press

WASHINGTON, Dec. 9.—The senate today confirmed the nomination of Patrick J. Hurley to be secretary of war, succeeding the late James W. Good. The confirmation was effected in about two minutes.

TWO KILLED IN BLAST

Three More May Die as Result of Oil Company Explosion.

By United Press

EVERETT, Mass., Dec. 9.—Explosions and fire killed two men and injured three others perhaps fatally at the Trimon Oil Company's plant here today.

Three men, suffering from burns which it was believed might prove fatal, were taken to the Whidden Memorial hospital.

OFFICERS DECORATED

Bravery in Nicaragua Is Recognized by U. S.

By United Press

WASHINGTON, Dec. 9.—Seven navy and marine corps officers were awarded government decorations, by Secretary of Navy Adams today for bravery in Nicaragua.

Distinguished service medals were awarded to Rear Admiral David Sellers, Washington, former commander of the special service squadron in Caribbean waters, and Lieutenant Colonel R. R. Wallace, St. Louis.

Navy crosses were awarded Lieutenant Colonel R. R. Sanderson, Washington; Lieutenant E. H. Salzman, Manitowish, Wis.; Lieutenant Earl S. Piper, New London, Mo.; Lieutenant John S. Letcher, Lexington, Va.; Lieutenant John B. O'Neill, received a star to be attached to a navy cross previously awarded.

CONGRESS IS EXPECTED TO GRANT FUNDS FOR PROBE OF HAITI POLITICAL SITUATION

President Hoover Urged to Appoint Negro as Co-Investigator.

Order Prevails as Marine Force Steams Toward Little Republic.

OCCUPATION SCORED

Low Scale of Democracy Maintained, Charge of Policy Association.

RIOT TOLL MAY GROW

Deaths of Seriously Hurt Are Likely to Augment List of 12.

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