

INDIANAPOLIS, WEDNESDAY, FEBRUARY 4, 1931

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DRY LAW FEE REPEAL URGED BY DEMOCRAT

Lake County Representative Says Court Dockets Being Clogged.

ANOTHER CHANGE ASKED
Prosecutor or Deputy Would Be Required to Approve Liquor Affidavits.

"There is no sense in regarding the drinking of a glass of wine or liquor worse than murder," declared Representative W. E. Stanton (Dem., Lake) in an indictment of the special fee of \$25 paid prosecutors for successful liquor law prosecutions at a hearing before the house committee on public morals late Tuesday.

Armed with statistics of various counties to show how "prosecutors let major felony cases clog up dockets while prosecuting liquor cases for the special fee," Stanton begged the committee to report out for passage of the Egan-McNitt bill which would repeal the special fee provided in the Wright bone dry law.

At the same time he pleaded for improvement of the section in the new measure which would have prosecutors or their deputies present when affidavits for dry law violations are sworn.

Urges Open Discussion
"The Egan-McNitt bill should be brought out on the floor of the house so that the people of the state would learn how the members feel," Stanton said.

"In Lake county we are sick of this special dry law fee.

"Our dockets are left clogged with important felony cases when the last prosecutor went out of office, but every liquor law violation case had been tried.

"There are 2,200 felony cases on the dockets in Lake county, but not a liquor case.

"The prosecutor grabbing for the fee speedily brought action in those cases," he charged.

"It seems as if the prosecutors of the state can not see the distinction between a drunk on the street and a murderer.

"Every prosecutor should approve the affidavit before the police go into a man's cellar and, seizing a bottle of grape juice that has fermented, arrest him. There should be a guarantee that the citizen's right to consider his home his castle be maintained," Stanton declared.

Representative Fred Egan (Dem., Lake), co-author of the bill, pointed out the dire need of having the prosecutor or his deputy personally see that the affidavits are sworn to.

Possibility of Injustice
"Take the case of one neighbor who is angry at another," Egan said. "He calls the police and says that his neighbor has whisky or beer in his home, and a wagon is brought up to the house. The neighbor is loaded in and the police search the house and finds nothing.

"What redress has the insulted and damaged person? None at all. The prosecutor should be responsible for all affidavits."

Turning on the special fees, Egan declared: "Instead of promoting morality we are subsidizing the prosecutors to perform their duty with this \$25."

"It appears today that the man who takes a drink is in the eyes of the law committing a greater offense than slugging another person for the purpose of robbery.

"Taking a drink is not morally wrong and it can never compare in its lawlessness with murder or assault, but the special fee has made it that in Indiana."

Dry Attorney Heed
Ethan A. Miles, attorney for the Indiana Anti-Saloon League, declared that when the fee system is abolished a principal source of revenue to the prosecutor would be taken away and that other fees would afford insufficient compensation.

"It seems strange to me," Miles declared, "that the men in the counties where the prosecutor is on a salary are the ones protesting against this fee."

"The prosecutor is the poorest paid official for this reason, and is in some counties the poorest official."

Miles protested against the swearing of affidavits before the prosecutor on the ground that at present the law makes ample provisions that a search warrant must be obtained.

"Why not fix a special fee for all offenses?" asked Representative John White (Dem., Marion). "Why should we pick out liquor offenses and make them special?"

"Because liquor offenses are the most damnable," was the answer of Representative Thad S. Adams (Rep., Hendricks).

The committee decided to postpone all consideration of the bill until the Democratic platform pledge fees and salaries bill had been introduced, setting up fees for all prosecutors.

'Big White Penny' Sent to Aid Poor

Child Mails Half Dollar to Hoover to Buy Bread for Needy.

By NEA Service
WASHINGTON, Feb. 4.—"Dear Mr. Hoover—Here is a big white penny from my bank," wrote 5-year-old Rosemary Ernise of Webster, N. Y. "Will you buy some bread and butter and milk and candy for the little boys and girls who are hungry?" Accompanying her note, received at the White House, was a half dollar for the Red Cross.



Rosemary Ernise

MAJ. SHEPARD SENTENCED IN WIFE POISONING

Appeal Prepared as Court Overrules Plea for New Trial.

By United Press
TOPEKA, Kan., Feb. 4.—Major Charles A. Shepard's attorney today began preparing an appeal to the United States circuit court of appeals from Shepard's sentence to life imprisonment for conviction of killing his wife with poison.

Judge Richard J. Hopkins sentenced Shepard late Tuesday after overruling his claim that he was entitled to a new trial because there had been errors in admission of testimony.

The colorful 50-year-old army officer whom the government charged killed his wife so he would be free to marry a blonde Texas stenographer less than half his age, was released under \$20,000 bond after his attorney was allowed ninety days to perfect the appeal.

Stationed at Hospital
Shepard said he would return at once to Denver, where he is stationed at Fitzsimons hospital. He is an expert on tuberculosis and was stationed in Kansas when his wife died.

In overruling the motion for a new trial, Judge Hopkins ruled that "no material error was committed."

Attorney Harry L. Glass, Shepard's counsel, declared he had "begun to fight," reiterated his belief that Shepard was innocent and declared he would carry the case to the United States supreme court if necessary.

Bond Is Protested
It was believed Judge Hopkins' sentence would not end Shepard's status in the army, as the war department has assured him he will retain his rank until all appeals are exhausted.

Major Shepard's \$20,000 bond was signed by four Kansas City (Kan.) citizens. The bond was accepted after protests from S. M. Brewster, United States district attorney, who contended the conviction had resulted from a fair trial and that Shepard should begin serving his sentence immediately.

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FINED FOR FALSE OATH

Michigan License for Deer Hunting Costs Hoosier \$500.

By United Press
KALAMAZOO, Mich., Feb. 4.—For falsely swearing that he was a resident of Michigan in applying for a deer hunting license, Warren Krisel of Hammond, Ind., was fined \$500 and costs here. Krisel is manager of the Northern Indiana Petroleum Company and part owner of a string of oil stations in northern Indiana.

GANDHI ACTS TO SETTLE REVOLT

Asks Lord Irwin to Make 'Peace Gesture.'

By United Press
ALLAHABAD, India, Feb. 4.—The Mahatma M. K. Gandhi, leader of the civil disobedience movement against British rule, today asked the viceroy, Lord Irwin, to make "a peace gesture" toward settlement of the independence controversy.

Gandhi, in a letter to the viceroy, urged an official inquiry into six test cases of charges of police violence against the independence volunteers. He said he would interpret the consent of the viceroy to the inquiry into a genuine instance of "excess" as a peace gesture.

Gandhi said he then would attempt to persuade the leaders of the nationalist congress to realize the advantage of the offer of Prime Minister MacDonald toward a federal government for India.

THEFT SUSPECTS FLEE

Negroes Abandon Stolen Car and Escape After Police Chase.

Two Negroes escaped following a police pursuit of a stolen car, at Bellevue place and Fourteenth street, Monday night, but Evelyn Davis, Negro, 811 Drake street, was held on vehicle taking charges. She refused to name her companions.

Charles Harris, 626½ Blake street, and Ray Brown, 306 East Michigan street, both Negroes, also are held on vehicle taking charges. They were arrested at New Jersey street and Fall Creek boulevard.

Real Silk Policy Defended
J. A. Goodman, chairman of the board of Real Silk, appeared against the bill and declared he was doing so for the sake of his employees. He represented that they were saved from striking by an injunction against labor organizers and that peace and harmony prevail, because their company organization forbids them the right to join a labor union.

Charles Leeke, head of the company contract organization, came forward to tell about it, under questioning by Representative Jacob Weiss (Dem., Marion), committee member.

Later Father Maguire inquired if employers thought that the ends of justice would be served if the unions were so strong that they could require employers to sign a contract not to join an employers' association.

Yockey Opposes Bill
Attorney Harry Yockey appeared to protest the bill's passage for the Indianapolis Associated Employers. He said the measure ignores individual rights.

"If Indiana labor was organized fully this state would see an era of prosperity such as it never has seen before, in my opinion," Father Maguire declared, in closing on the bill's behalf.

Children between 14 and 16 would be permitted employment by the bill upon completion of eighth grade of school and 16, now forbidden by Indiana statutes.

He alleges Governor Harry G. Leslie will sign the measure, if passed.

It was introduced in the senate Tuesday by Senators C. Oliver

JUSTICE ASKED FOR LABOR BY COLLEGE HEAD

Curb on Injunctions Urged by Famed Fighter for Rights of Workers.

ELOQUENT PLEA VOICED

Father Maguire Cheered to Echo as He Speaks at Statehouse.

"Injunction in labor disputes do nothing but take from the laboring classes the inalienable rights guaranteed them by the American Constitution. It tends to give working men a rankling sense of injustice and lends truth to the charge that our government is no longer free, but a government by injunction.

"Our forefathers shed their blood that tyranny of this kind should vanish forever from the earth. An abuse of power is always tyranny, whether that abuse comes from a judge or any one else."

In such stirring terms did the Rev. J. W. R. Maguire, president of St. Viator college, Kankakee, Ill., seek to arouse public interest and legislative favor for the injunction limitation bill at a hearing before judiciary A committee in the house of representatives Tuesday night.

Fighter for Justice
The bill is backed by the Indiana State Federation of Labor and Father Maguire was brought in as its advocate. He is noted throughout the country as a fighter for social justice.

Every seat in the house was filled and round upon round of applause greeted the speaker as he urged enactment of the bill as a step toward preservation of the rights of free men.

He told of his part in passage of a similar measure in Illinois and pointed out that it has had beneficial results there since it became a statute in 1925.

"The bill merely would forbid the use of injunctions in labor disputes, leaving free their use in all matters of equity where no statute provides relief.

"If this merely were a political matter, I would not appear here," the priest declared, "or canon law forbids that I engage in political affairs. But this transcends all political action.

Vital to People
"Here is a measure upon which the social and economic welfare of the people depends. It is the measure that means the greatest good to the greatest number and no legislature can afford to be indifferent to the welfare of industry," he declared.

"There are higher rights than property rights and no lawful rights that I engage in political affairs by this bill," he asserted. "A fundamental principle of liberty is involved here. It is to restore to the working class the freedom that should be theirs.

"If this bill fails, Indiana still will spend the day when legislation will pass such a law in defense of both natural and constitutional rights."

State Police Officer Is Rebuked by Baker.
Lieutenant of state police N. A. Romine won't try to "fix" any more cases with Criminal Judge Frank P. Baker, attaches of Baker's court will bet today.

During one of the recent night sessions of Baker's court, Romine approached Baker. Romine "buzzed" Baker, which is the underworld's way of saying: "Do something for me, pal."

"What's this?" Baker announced to the courtroom at large, much to Romine's surprise. "Are you trying to 'fix' me?"

Romine, without reply, left the courtroom.

Romine, it was disclosed, had asked Baker to "do something" for Ralph (Peck) Hyatt, charged with blind tiger.

Baker "did something." He gave Hyatt thirty days on the farm.

LODGE IN CELEBRATION
Modern Woodmen Have 35th Anniversary of Founding.

Thirty-fifth anniversary of the founding of Marion Camp No. 3539, Modern Woodmen of America, was celebrated Tuesday night at 322 East New York street. J. A. Southard, 87, oldest living member of the camp, as guest of honor.

Roy La Roche, venerable consul, presided, and speakers included Frank P. Baker, criminal court judge; Charles F. Remy and John D. Volz, national director.

THEATER MAN IS DEAD
Louis F. Allard of South Bend Succumbs at Chicago.

Louis F. Allard, 65, of South Bend, well-known theater and hotel operator, died Tuesday night at Chicago, according to word received here today. Charles J. Allard, his brother, is the Democratic representative in the Indiana house from St. Joseph county.

One to Be Rose Queen; Which?



JORDAN JURY TO BE SEATED

Case Likely to Get Under Way Late Today.

A jury to try Frank Jordan, 25, for first degree murder in the Greenfield love triangle slaying, probably will be seated in criminal court today.

Eleven jurors tentatively had been accepted by the state and defense when court adjourned at noon. During the morning defense attorneys excused five persons and the state two.

Jordan is charged with slaying Raymond Cole, 27, of 1033 Troy avenue, Oct. 31, 1930, after a love affair with Cole's wife, Mrs. Marie Cole. The state is demanding the death penalty. Mrs. Cole is charged with complicity in the crime.

With L. Ert Slack, former mayor, on the bench, attorneys this morning resumed questioning of prospective jurors, and it appeared likely the trial will get under way late this afternoon when a jury finally is accepted.

COURT 'FIXING' NOT SO GOOD

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HOUSE DEBATES POLL TAX BILL

Attitude of Women on Fee Argued on Floor.

Eight hundred thousand Indiana women between 21 and 50 may want the recognition that goes with the ballot, but whether the want to pay poll tax to get it was a debated question in the Indiana house today.

The only woman representative, Miss Tella C. Haines (Dem., Sullivan), a co-author of the bill, believes women of Indiana want to pay the poll tax, so Representative Herbert H. Evans (Rep., Henry) told the house.

Miss Haines made no speech, but "had the last word" by moving the bill, on final passage, be made a special order of business for 10:30 Friday morning.

Arguing "there is no justification for a poll tax," Representative Delph L. McKesson (Dem., Marshall), as majority floor leader, expounded the Democratic policy on increasing the state poll tax from \$1 to \$2.50 and making it applicable to women as well as men, all between the ages of 21 and 50.

"If you pass this bill," he shouted in the house, "You'll hear about it louder than anything this session when you get back home. You won't be back here again when the women hear about it."

Evans replied: "Indiana women want identification and will pay a poll tax for that purpose. This bill would raise another \$1,200,000."

Seven entrants in the rose queen contest are pictured above: First Row (left to right)—Joan Boswell, Kappa Alpha Theta; Aileen Alexander, Delta Gamma; Johanne Perrin, Kappa Kappa Gamma.

Second Row—Anna Marie Icke, non-sorority; Marie Shaner, Zeta Tau Alpha; Dorothy Jane Atkins, Pi Beta Phi.

Lower Photo—Charlotte Cashon, Delta Delta Delta.

Fabulous City Found in Jungle Wilds by Tarzan

Opar gleamed like a crown set with jewels in the heart of darkest Africa. In her vaults and caverns were riches indescribable. Guarding these were a horde of priests, squids, ferocious. Farther on was the realm of the gorilla-men, with Numa the false God, and the Palace of Diamonds.

Here Tarzan penetrated, thinking to rescue his friend La, the High Priestess, while in his wake plotted Flora Hawkes and the unspeakable Kraski, and the giant Estaban, who masqueraded as Tarzan himself.

How Tarzan, with the Golden Lion for ally, foiled the plot to rob the treasure rooms of Opar, is told in the New Tarzan Picture Story

TARZAN AND THE GOLDEN LION
BY EDGAR RICE BURROUGHS
Drawings by Rex Maxon

Beginning Monday, Feb. 9, in The Times

GANG SLAYS CHIEF, FEARING BETRAYAL

had been vacant since a raid several months ago.

The body was bound with wire and the mouth gagged, police said. Wounds in his head indicated he had been shot from above.

Marcus was the "general manager" of a giant wildcat distillery found here in December, United States officers revealed. He had not been seen since shortly after the raid, underworld sources said.

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TAX MEASURE TO BE FILED DURING WEEK

House Finally Agrees on Bill Designed to Ease Property Load.

INCOMES TO FACE LEVY

Intangibles Also Expected to Provide Portion of State Revenue.

Ways and means committee of the Indiana house of representatives expects to wheel on to the floor of the house Thursday the infant tax plan counted upon to grow up in four weeks to become the support of state government.

The "hush of expectancy" hung over the ways and means committee maternity ward today where midwives and tax pledges of the birth include thirteen nervous ways and means members, nine senate finance committeemen, the senator who is chairman of the Governor's tax survey committee, a tax expert and economist, political leaders and twelve joint tax committeemen.

Income taxes on individuals and corporations, counted upon to raise annually about half the \$15,000,000 now provided by the state property levy, are qualifications expected of the infant.

Democrats trust the youngster will grow up to look like its father—the income tax pledge of the Democratic state reform. Republicans want it to resemble a Republican insistence for relief from burdensome property taxes. Sometimes they agree it may look like both.

Two Bills Chosen
Decision to settle upon House Bills 271 and 233, drafted by the legislative reference bureau for the tax survey commission which worked on tax revision for more than a year, was reached at a round table meeting of the joint tax committee of both houses late Tuesday.

Unaware that R. Earl Peters, Democratic state chairman, and Paul V. McNitt, touted as the 1932 Democratic gubernatorial nominee, had told the ways and means committee Monday night that these two bills were satisfactory as a "starting point," Representative Delph L. McKesson, majority floor leader, opened the meeting with a gesture toward stamping the income tax effort with the Democratic party label.

"There's a bill being drafted along lines of the Georgia law," he said, "and I think we ought to wait on it."

He did not know Chairman Peters had told ways and means twenty-four hours before. "Colonel McNitt has given several days' close consideration to the Georgia law," McKesson's position indicated a successful "McNitt income tax act" might not be harmful to the gubernatorial aspirant in the fall of 1932.