



The Indianapolis Times

HOME

Increasing cloudiness becoming unsettled with probably showers or thunderstorms tonight and Wednesday; warmer tonight.

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INDIANAPOLIS, TUESDAY, JUNE 2, 1931

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TWO CENTS

Outside Marion County 3 Cents

Two Men Stand in Limelight at Governors' Conference



Governor Franklin Roosevelt

FASCIST WAR ON CATHOLICS ANGRERS POPE

Mussolini's Demands Are Called 'Inexplicable' by Holy See.

VATICAN CITY, June 2.—Measures taken by Italy against the Catholic laymen's order, Azione Cattolica, were termed "inexplicable" today in an interview granted by the pope to Monsignor Diaz, archbishop of Mexico City, who had been received in audience with fifty Mexican pilgrims.

"We are nobody's enemies," the pope said he always had been and measures taken against so many of our sons and daughters is inexplicable," he added.

"Azione Cattolica always has been disciplined and obedient. When Azione Cattolica was necessary in Mexico, the pope ordered it to abstain from politics. The work of Azione Cattolica ought to be a sanctification of those belonging to it, as well as a sanctification of others as a result of the precept which counsels them to look after their own brothers."

Inquiries in vatic circles today showed that negotiations were in process with the Italian government toward a settlement, but that the situation was difficult. It was pointed out that the Vatican is more desirous of preventing a break, but the fact could not be hidden that dissolution of the Catholic clubs had gravely impressed the Vatican.

Rejection of the demand by the Vatican is regarded likely. The government's next step, it is believed, would be to request that leaders of the Azione should be chosen after a thorough investigation as to their political fitness, with final approval by the government.

Compromise Moves Taken The Azione Cattolica already has been restricted throughout Italy under orders from Premier Mussolini.

The organization, one of the most powerful Catholic bodies in the world, has been the center of the controversy between the Fascists and the Holy See.

The government's demands aimed at the extermination of the Azione Cattolica followed a day in which a tendency toward compromise had given rise to a feeling that the difficulties would be solved peacefully.

The government intimated that Catholic young men's clubs, including Knights of Columbus playgrounds, would be permitted to reopen.

Orders Attacks Halted Mussolini ordered that anti-Catholic demonstration of Fascist youths should be abandoned.

Mussolini ordered that the Fascist newspapers, Lavoro Fascista, discontinue attacks on the pope. Pope Pius ordered that the Vatican organ, Osservatore Romano, cease attacks on Fascism.

These moves toward compromise were seen earlier as indicating both Mussolini and the pope were bent on reaching a peaceful solution of the attacks and counter-attacks among Fascists and Catholics, one against the other.

Protests to Embassy The pope, however, ordered all church processions and demonstrations scheduled to be held outdoors to be conducted within the churches throughout Italy.

The ban on church festivals was regarded as designed to bring the importance of the struggle more sharply home to the Italian people.

Edward L. Hearn of Boston, director of the Knights of Columbus in Europe, protested to the United States embassy against closing the Knights of Columbus playgrounds.

BY BOYD GURLEY, Editor of The Times

FRENCH LICK, Ind., June 2.—In a desert of mediocrity, the conference of Governors centered its attention today upon two men—Roosevelt of New York and Pinchot of Pennsylvania.

The Governors are pledged to talk on no important topic, Pinchot crashes the gate with a talk on public utilities, but the others are content to listen to speeches on the mechanism of government, although outside the conference they talk politics.

The Republican Governors are accepting Hoover as inevitable and appraising the probable loss of votes in their states. The Democrats are wondering whether

Roosevelt is the man to win, and those who oppose him are talking about his health.

Roosevelt is endeavoring to prove by his activity that his health is better, not worse. The Democrats look also at Ritchie, but dodge any mention of prohibition.

GATHERED in a great banquet hall Monday night the Governors listened to Meredith Nicholson, George Ade, Strickland Gilliland and Will Hays. It was a social gathering, with golf for the men and bridge for their wives.

No one has dared to broach openly the subject of prohibition or of employment stabilization. But the lid which has been

placed carefully upon important questions is lifting, and before the conference ends some one may drag these questions into the open. Pinchot is being permitted to make his speech on public utilities today.

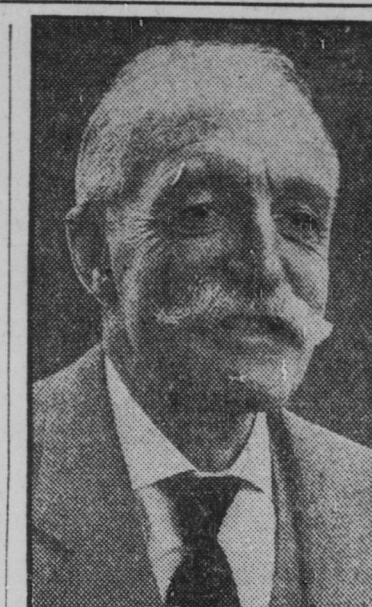
Dern of Utah is fretting—he made the radical statement that any business which could be done better by the co-operative forces of the state than by private capital should be the province of the state. He got no applause.

MOST of the political talk is in the so-called Minnesota case. When the Republican speak out loud, they say Hoover will be the nominee, but in private they are talking of Coolidge.

Perhaps out of the back rooms may come a movement of Republican Governors to select delegates who can be turned to the columnist at the right moment.

There is no Governor here who will not confide privately that if the election were to be held this fall, the party under Hoover is doomed, and who would not desert him at the slightest provocation. But the President has his friends on the ground, fighting and talking. They are led by former Governor James P. Goodrich of Indiana.

On the surface the conference is innocuous. Underneath it is shot full of politics. The boys are wondering where they are going and they are ready to jump.



Governor Gifford Pinchot

'BIGGEST GRAFT IN HISTORY' LAID TO UTILITY TRUST IN PINCHOT TALK TO GOVERNORS

Linking of Power Firms With Party Leaders to Mulet Public of Millions Viewed as Threat to Rule by People.

(Other details of Governors' Conference on Page 2)

BY DANIEL M. KIDNEY Times Staff Correspondent

FRENCH LICK, Ind., June 2.—Linking of the power trust with political party leaders to mulet the American people of millions of dollars annually through high rates was charged by Governor Gifford Pinchot of Pennsylvania in addressing the Governor's conference here today.

A pioneer conservationist, Governor Pinchot had been scheduled for a tame talk on "Timber and Its Uses." But he chose the topic of public utilities, of which he has been a student for the last two decades or more.

Federal control offers the only hope of solution of the utilities problem, Pennsylvania's Governor said.

"We are facing an imminent new threat to the rule of the people established by the founders of this republic," Governor Pinchot declared. "The public utilities underlie that threat."

"The power of public utilities is manifest in every political assembly, from congress to the smallest town meeting, and from the government of the least political unit to that of the largest state. It reaches to the national government itself."

"Far and away the strongest political power in my own commonwealth is the power of the organized public utilities. And I venture to guess that there is hardly a single state where the pressure of public utility lobbyists upon legislature and the government is not known."

"In Pennsylvania the Republican party is in power. The public utilities do not dominate the industry, or rather the men and women of whom it is composed, but they own and operate the party machinery."

"They control the state chairman, the national committeeman and other officials of the Pennsylvania state committee, and these officials are occupied in doing the will of the public utilities and in defeating the will of the voters as expressed at the polls."

"If the Democratic party were in power in Pennsylvania instead of the Republican, I have no doubt its party machinery also would be controlled by the organized public utilities of the state."

Lack of Regulation Planned "The political power of the utilities is the direct result of the failure to regulate them on the one hand, and of their almost incredible expansion on the other."

"Beginning less than two generations ago with nothing, the electric industry today has a total investment of approximately \$12,000,000,000," he said. "It ranks fourth or fifth among all our industries in invested capital."

Growth of concentrated control was pointed out by the speaker, who asserted that more than 90 per cent of the power now generated in the United States is under domination and control of four major interests.

Figures were cited to show these groups to be the Morgan-Mellon group, controlling 57.12 per cent; North American, 14.03 per cent; Harris-Forbes, 12.36 per cent, and Insull, 10.80 per cent.

Interest Work Together "These interests work together harmoniously under a common policy toward a common end—which is milking of the public," the Pennsylvania Governor charged.

"Through the device of the write-up, the electric utilities alone today are collecting from the people of Pennsylvania interest on much more than one hundred million dollars that never was put into the business."

"Through overcharges in rates the public utilities generally are collecting in Pennsylvania alone far more than fifty million dollars a year over and above a fair return on their investments."

Biggest Graft in History "Through the same overcharges in the United States at large, the electric utilities alone are collecting yearly from the people a sum estimated by one man who should know at the very least of five hundred million dollars."

"Graft is money collected, but not rightly due. So here is graft, and so far as I know, the most gigantic graft ever imposed or collected by any single business since the world began."

Pointing out that the gigantic utility operations have become interstate and thus escaped state control, the Governor urged the state to cooperate in bringing about some national regulation to cope with the problem.

Every Home Being Drained "How heavily every home is being drained is shown by the fact that last year when the depression visited virtually every other industry, the utility companies increased their profits over forty-four million dollars, breaking all records," he said.

"I wish to express my firm conviction, based on no little practical experience, that the question of the public utilities can not be settled by the individual states acting alone."

"The problem essentially is national in its character. It can be solved only under the leadership and by the action of the nation itself, assisted and supported, of course, by the co-ordinated action of the individual states."

JOIN AGAINST PAY CUTS Colorado Mine Heads Withdraw Petition to Slash Wages.

DENVER, June 2.—The Empire Coal Mining Company of Aguilar, Colo., swung into line today with the Rockefeller-controlled Colorado Fuel and Iron Company and the Rocky Mountain Fuel Company against wage cutting.

It voluntarily withdrew a petition asking the state industrial commission for permission to reduce miners' minimum wages from \$6.52 to \$5 a day. The company's petition, seeking authority for corresponding slashes in the pay of its other workers as well, was filed last Friday.

SUPREME COURT UPHOLDS PRESS; KILLS MINNESOTA GAG RULE BY 5 TO 4 VOTE

Ringier Opinion Is Delivered by Chief Justice Hughes in Establishing Rights of Newspapers.

By Scripps-Howard Newspaper Alliance

WASHINGTON, June 2.—The supreme court continues to be the wonder of Washington.

As a result of newspaper comment on the court's recent change from conservatism to liberalism, through the alignment of Chief Justice Hughes and Associate Justice Roberts with the famous dissenters—Justices Holmes, Brandeis and Stone—the court room was crowded at its final meeting of the term Monday.

Whether the tourists crowding the small and monastic chamber sensed it or not, they witnessed a scene which may have cemented a transformation in jurisprudence of greater importance to America than the declaration of a war or the election of a President. And, as has been true so often of late, the central figure of the drama was Charles Evans Hughes.

Hardly had the ceremonies honoring the late Chief Justice Taft and Associate Justice Sanford been concluded before the court, with a

swiftness not usually associated with this august body, swung into action.

The chief justice squared his broad shoulders, tossed back his black robe enough to reveal the white tipped edge of his vest and leaned out across the bar of justice. Then, with the intonation of an oracle, he delivered another of those far-reaching opinions that have provoked both admiration and consternation.

Once again, in a case of incalculable import for its effect upon the freedom of the press, the erstwhile subject matter of the case was the new "liberal" majority.

Holds 'Gag Law' Invalid Any statute, he declared, that is designed to impose an anticipatory restraint upon publication even of malicious, defamatory and scandalous subject matter constitutes censorship intolerable to the American spirit. There are sufficient legal remedies, he pointed out, for use "after" publication.

The great right of the freedom of the press, he asserted, transcends all efforts to remedy local problems through statutory action. Cutting through what he called "mere details of procedure," the chief justice held invalid the Minnesota law which had come before the court as the result of an attempt to invade its subject matter.

The gag law, he said, was a violation of the First Amendment of the constitution, which guarantees the right of free speech and of the press.

Even before the chief justice began to read, it was obvious that he was about to hand down another landmark decision reflecting the famous supreme court shift and that it was to be another 5-to-4 opinion.

Conservatives Lean Back For as he cleared his throat, the dissenting conservatives, Butler, Sutherland, Vandever and McReynolds—leaned back in their black leather chairs and stared at the chief justice.

When Justice Butler delivered the dissenting opinion, Hughes settled down comfortably in his own chair. Holmes sank back alongside "Chief," Stone gazed out over the court room, Roberts eyes strayed toward the walls of the chamber, and Brandeis scrutinized something on the bench before him.

Baker Praises Decision CLEVELAND, June 2.—"The supreme court of the United States has reaffirmed a doctrine and vindicated a liberty which has been ours since the Constitution of the United States was adopted."

Newton D. Baker, famous lawyer and secretary of war in the cabinet of Woodrow Wilson, thus today vigorously indorsed the decision Monday of the supreme court in the so-called Minnesota "gag law" case.

The decision of the supreme court in the so-called Minnesota "gag law" case is a great charter of freedom for the newspapers of America," he declared.

"If we are to have free government at all it must rest upon an informed and enlightened public opinion."

"No group of official persons can be permitted to lay down in advance the limits of newspaper discussion. If newspapers abuse their privileges, like anybody else, but all forms of censorship necessarily are administered by or in the interest of the highest public service and duty to criticize and expose."

"Efforts to throttle the press are as futile as they are unwise. They lead merely to the secret circulation of criticism."

shot fatally as he fled after a robbery. The accusation was hurled at her Monday night by William Moore, 29, of 1958 North Olney street, who in a verbal confession, according to police, related he and Mrs. Tolbert were in the J. H. Taylor pharmacy, Twenty-first and Illinois street, early the night of May 17, before the robbery.

"I didn't know anything about it. I didn't know what he was doing and I knew nothing of the automobile that we had that night. You know, if you can't trust a husband after nine years, he's not much good."

"Yes, I was there," she said. "I 'spotted' the car. But I didn't 'spot' the store, like he says."

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\$2,600 Reward

Seven days ago two bandits walked into a grocery store and shot down Lafayette A. Jackson.

Today his slayers still are free. The Times knows some one must know who these gunmen are.

To the person who will give information leading to their arrest and conviction, The Times and other friends of the dead man will pay \$2,600.

In the civilization of which we are so proud, such crimes should be tolerated. The killers must be caught, and they must be punished.

LAST HOPE FOR FALL IS DASHED

U. S. Supreme Court Rules Against Review.

BY LYLE C. WILSON, United Press Staff Correspondent

WASHINGTON, June 2.—Albert Bacon Fall must go to the prison gate, but he never may set foot inside the walls.

Justice probably will lead the former secretary of interior to the prison and release him there—content with exaction of a \$100,000 fine. And the fine never may be paid.

The last legal recourse against sentence of one year in jail and the fine was exhausted Monday when Chief Justice Charles Evans Hughes curiously denied Fall's application for review of his case.

Hughes was a cabinet colleague of Fall during the Harding administration, when the former interior secretary accepted a \$100,000 bribe from E. L. Doheny in exchange for a lease on the Elk Hills oil reserve.

Fall could appeal to still another colleague of the Harding cabinet, President Hoover, but it is understood there will be no executive clemency.

VIRGIL DUE IN COURT

Sentence Rehearing Date to Be Set Today.

By United Press

VALPARAISO, Ind., June 2.—Virgil Kirkland was to be brought before Judge Grant N. Crumpacker today from the state reformatory, where he is serving a one-to-ten-year sentence imposed when he was convicted here on a charge of attacking Arlene Draves with intent to commit a criminal attack.

Judge Crumpacker was to set a date for a hearing to determine whether the sentence will be changed to from five to twenty-one years, as requested by the state.

In sentencing Kirkland, Judge Crumpacker described the crime as "assault with intent to commit a felony," carrying the lighter term.

Burney Maxwell, sheriff of Porter county, presented himself at the Governor's office today with papers to return Virgil Kirkland, notorious defendant in the Valparaiso murder trials for the death of Arlene Draves of Gary, to court in Valparaiso for possible re-sentencing.

SITE FOR NEW CITY DOG POUND OFFERED

Sanitary Board Gives Permission for Building on South West Street.

Permission for construction of a new city dog pound on a site on South West street near the Raymond street bridge, owned by the sanitary board, was given today by the board.

Relocation of the dog pound has been under discussion by city officials for several years, and at present a bond issue to build a modern pound building is being considered, but no definite decision on the move has been reached.

The present pound, which is housed inadequately, is located on Massachusetts avenue in the Brightwood area.

"But he always did get the tough breaks." She spoke of her husky son Charles. The reporter had seen the boy the day after Tolbert was slain.

"He's a great boy, but he's had a bad break ever since he was born."

MOORE, who is charged with auto banditry, said Mrs. Tolbert had made a mental layout

TRAFFIC LAW GRACE 'GIVEN' CITY AUTOISTS

Drivers Will Get Several Days to Study New Parking Code.

Indianapolis motorists today were given several more days of grace to become acquainted with new traffic rules, after city council Monday night had cleared the way for enforcement by ratifying the law-in-contract signed by the safety board.

The tow-in contract is held by Indianapolis Motor Inns, Inc. Captain Lewis Johnson announced today that police will continue giving warning stickers to motorists violating the ordinance until Monday when active enforcement probably will begin.

Business Is Hurt Business of downtown concerns is being injured by the ordinance already, although enforcement has not been started, safety board members were told today by Frank Fishback, restaurant proprietor.

The council failed to heed request of Councilman George A. Henry that action of the ordinance ratifying the contract be delayed until consideration could be given an ordinance he submitted Monday night which would give the tow-in "plum" to at least twelve garages in different parts of the city.

Parking Is Banned Henry argued that having contract garages in various parts of the city would benefit motorists by preventing necessity for hauling impounded cars long distances through traffic, reducing danger of damage to the cars.

Principal feature of the new traffic ordinance is the section banning parking in the downtown traffic area, bounded by Vermont, Senate, South and Alabama streets, between 7 and 9 1/2 a. m. daily except Sundays and holidays.

All cars violating this section and other cars improperly parked will be ordered towed or craned to a contract garage by police. Cars parked overtime will continue to receive stickers.

Motorists will be forced to pay \$3 to recover cars towed in and \$3.50 for cars craned in, of which \$2 will be paid at police headquarters, as a fine, before the car is ordered released.

Ropkey announced public hearing would be held on Henry's proposed ordinance at the next meeting, June 15.

William Cullum, 3, of 2946 Station street, was hurt slightly when he ran in front of a bus near his home, and Edward Mauer, 6, of 243 North Rural street, also was injured slightly by an auto driven by Dan Wildman, 22, of 511 North Grant street.

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ed a shabby frame cottage here and seized the man as he returned from his employment as a mechanic.

The search for Knapp had been pressed in the eastern part of the United States. Canada, Mexico, Central and South America, into the ranks of the French Foreign Legion at Morocco and even into China.

Meanwhile, the army deserter always was within a short distance of New York, living in Boston for several months immediately after the murder of Panella, and for three years prior to October, as a member of the coast guard at the Staten Island station, where he was accepted as an honorable and respected married man.

Knapp was taken to headquarters here and admitted readily the slaying of Panella, police said, saying that it was committed merely to "experience the power of inflicting death and to enjoy the excitement of being the object of a manhunt."

leave the store, Wilson fired several times. Tolbert was found dying on the curb outside, after his companion had fled.

Moore, according to authorities, said he and Tolbert had stolen the auto used in the robbery at Columbus, after another car they had stolen in Indianapolis had "burned out" at Columbus.

Mrs. Tolbert is held in lieu of \$3,000 bond.

When the bandits turned to

of the store. He made his accusations in front of Mrs. Tolbert Monday night, detectives said.

Later the night of May 17, Tolbert and Moore, according to Moore's statement to police, returned to the store.

They were successful in scooping \$25 from the cash register, but they had not counted on the shooting accuracy of George Wilson, 25, clerk.

When the bandits turned to

DECIDE TO FIX AIRPORT ROADS

\$8,400 Fund Is Set Aside by County for Work.

Traffic to municipal airport soon will travel over better roads, county commissioners decided today as they set aside \$8,400 from the 1931 road fund to improve feeder roads to the air field.

Lyndhurst drive, from Washington to Minnesota streets, will be graveled and covered with tar. Twenty-five residents along the street last week protested against dust and asked for the improvement.

Minnesota street and Plainfield avenue also are on the improvement list, as is Post road, north of Ft. Benjamin Harrison for three miles.

An appropriation by county council of \$8,000 to improve Tibbs avenue has been called illegal by County Attorney Harvey Grabill.

SHOWERS SCHEDULED

Fair Weather Is Due for 24-Hour Detour.

Detour of fair weather in the next twenty-four hours with thunder-showers probably replacing it, was predicted today by the weather bureau.

Forecasters said they did not believe the change would result in violent atmospheric disturbances, but probably only spring showers, accompanied by some electric displays.

Rising temperatures also are on the weather menu.

BONDS FOR 3 SEWERS TO BE SOLD AT ONCE

Broad Ripple, Irvington, Pogue's Run Projects Advanced.

Three bond issues totaling \$409,000 for the Broad Ripple, Irvington and Pogue's Run interceptor sewers, which have been held up by litigation, are to be sold at once, it was announced today following meeting of the sanitary board.

Sale of the bonds by the controller's office was ordered by the board after discussion of the suit to enjoin construction of the sewers, which was won recently by the city in circuit court at Greentield.

CANADA'S TARIFF IS HELD SLAP AT U. S.

Detailed tariff story on Page 14.

WASHINGTON, June 2.—Political and economic talk in the capital today revolved around Canada's suddenly heightened tariff wall.

Commerce department officials telegraphed American trade representatives in Ottawa to rush details of the new duties and a copy of the speech in which Premier Bennett outlined the increased protection.

Through the Democratic national committee, Senator Harrison (Dem., Miss.), senior member of his party on the finance committee, issued a statement describing the Canadian increases unqualifiedly as a reprisal against the Hawley-Smoot tariff enacted in the first congress of