



The Indianapolis Times

HOME

Generally fair tonight and probably Sunday; not much change in temperature.

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INDIANAPOLIS, SATURDAY, JULY 4, 1931

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JACKSON CASE VENUE CHANGE IS DEMANDED

Judge Baker Announces He Will Act on Holmes' Motion Monday.

PREJUDICE IS CHARGED

Witt and Jackson Trial May Be Delayed Until Late in Year.

Judge Frank Baker, of the criminal court announced today that he probably will act Monday on the motion for change of venue filed by Ira Holmes, attorney for Charles Vernon Witt and Louis Hamilton, charged with the murder of Lafayette A. Jackson.

The motion for a change of venue on the first degree murder trial charges that defendants "can not have a fair and impartial trial in this cause in Marion county, because of the excitement and prejudice in the county against the defendants."

TRAIN ONE; TRAIN ALL, IS ORDER AT V. P. I.

Every Male Student Must Take Up Athletics, New Rule.

BLACKSBURG, Va., July 4.—H. B. Redd, director of freshmen athletics at Virginia Polytechnic institute here, plans to train "every able-bodied male student" for participation in intercollegiate sports, it has been announced.

Redd has presented his plan to the college administration for approval. He proposes that specialized training in one or more sports selected by the student be offered under experienced coaches in physical training classes in place of regular freshman gymnasium work. Under the plan, first year students will name their favorite sports upon entering the school, and will be given instruction in these sports two hours each week throughout the season.

BOYS LEARN COOKING; EAT THEIR OWN FOOD

Interested in Chemistry of Wit; Ask Lot of Questions, Says Teacher.

STEVENS POINT, Wis., July 4.—Sixteen boys enrolled in a cooking class at Stevens Point high school have two important reasons for preparing good food—they must eat the meals they cook and if they survive they will automatically be given a satisfactory grade in the course.

The boys are progressing in their work and are especially interested in the chemistry of foods, Miss Marie Zimmerli, their instructor, reported. "They don't accept facts as girls do, but instead they have to know the whys and wherefores," she said.

COMMUTER 60 YEARS

Boston Banker Has Traveled Same Distance for Long Time.

BOSTON, July 4.—George F. Lord, 75, Boston banker, has been commuting continuously for sixty years between his Lynn home and this city, a distance of about ten miles. Throughout that period he has traveled over the same railroad—the Boston & Maine.

MARRIED FOR 'SPITE'

Wins Annulment When Wife Confesses the 'Hoax.'

BALTIMORE, July 4.—Howard Shelton today has an annulment of his "spite" marriage to Mrs. Ida Shelton. Shortly after they were married, Shelton said in his petition, his wife told him:

"I might as well tell you that I never intended going through with this marriage. I only married you to show people how easily I could get you and to prove to some one else that I could get married, too."

HIT-AND-RUN HORSE

Reaps on Hood of Auto and Damages It Badly; Then Flees.

PITTSBURGH, July 4.—There are quite a few hit-and-run automobile drivers in this city, but the first case of a hit-and-run horseman was reported by Dr. H. B. Krumpke.

Krumpke was driving his new car up the street when he approached four horsemen. One of the horses reared the hood of the car, badly damaging it. Before Krumpke could get out of his car the horse and rider beat a hasty retreat.

Rockets to Mars on Fourth of July Trip!

By Times Special

CANAL JUNCTION, Mars, July 4.—Clutching the stick of a huge skyrocket, a frightened boy landed near here today, unconfirmed reports said, after a breath-taking flight from Earth. At first unable to talk, the boy later recovered sufficiently from his hazardous experience, it is said, to tell that he had ignited the rocket accidentally while playing with it on a downtown street in Indianapolis, Indiana, U. S. A.

The boy could not tell physicians his name, but said his last recollection of the flight was when the rocket carried him out of sight of the streets of his home town.

He declared he did not recall entering the stratosphere and did not suffer from the intense cold, although he was barefooted and wore neither hat nor coat.

The rocket landed on Waterways boulevard, it is rumored, not far from the field where the annual July 4 celebration is being staged.

The boy said he regretted missing the Fourth celebration at home, and appeared amazed at the mass of fireworks assembled by the commonwealth of Canal Junction.

City Police Mystified

INDIANAPOLIS police today started a search to establish the identity of the boy who, reporters say, was hurled through the atmosphere to Mars on a skyrocket.

According to witnesses who saw the boy playing with the huge rocket in front of Klipp Brothers, 117 South Meridian street, he picked a match off the street and lit the fuse. He was gripping the rocket stick with one hand and when it roared skyward he appeared frozen to it.

Several parents visiting police headquarters today, asserting their boys have been missing since the fireworks were exploded at dawn, and each of them thinks the boy might be their son.

Democrats Blamed

WASHINGTON, July 4.—President Herbert Hoover and his advisers were interested today in a report from Mars that an Indianapolis boy had landed there after a rocket flight.

Mr. Hoover refused to comment, but authoritative sources branded the rumor as probably inspired by the Democratic propaganda mill in order to embarrass the President in some manner.

MOTHER TO OFFER NOT GUILTY PLEA

Mrs. Simmons' Trial Is Expected to Be Set for September.

LEXINGTON, Ind., July 4.—Mrs. Carrie Barrett Simmons, 47, spent Independence day in the Boone county jail following her indictment Friday on charges of murder in connection with the poison deaths of her two daughters at a family reunion June 21.

State and defense counsel will meet with Judge John W. Hornaday Monday to set date for Mrs. Simmons' trial. It is expected the trial will be set early in the next court term opening Sept. 14. Mrs. Simmons is expected to plead not guilty when arraigned next week.

Petition to obtain release of the Hancock county farm woman on bond may be made early next week, it has been learned.

Details of the two daughters, Alice Jean, 10, and Virginia, 14, were attributed to strychnine poisoning capsules containing strychnine being found in uneaten sandwiches after the girls and several other picnicers became ill. The sandwiches were served by Mrs. Simmons, it was testified.

FIREWORKS HURT 3

Two Burned by Crackers; Toy Pistol Injures.

Casualties spoiled the holidays for three more boys Friday. Kenneth Adams, 7, 1837 Orleans street, was burned on the hands when fireworks went off too soon.

Robert Oliver, 9, 3656 West Tenth street, received a burned foot for the Fourth, after a cracker went off prematurely.

A toy pistol damaged the hand of Robert Barnes, Negro, 14, 724 North California street. He was treated at the city hospital.

In the Air

Weather conditions at 3 a. m.: North-west wind, 11 miles an hour; temperature, 75; barometric pressure, 29.91 at sea level; ceiling, unlimited; visibility, 8 miles; field, good.

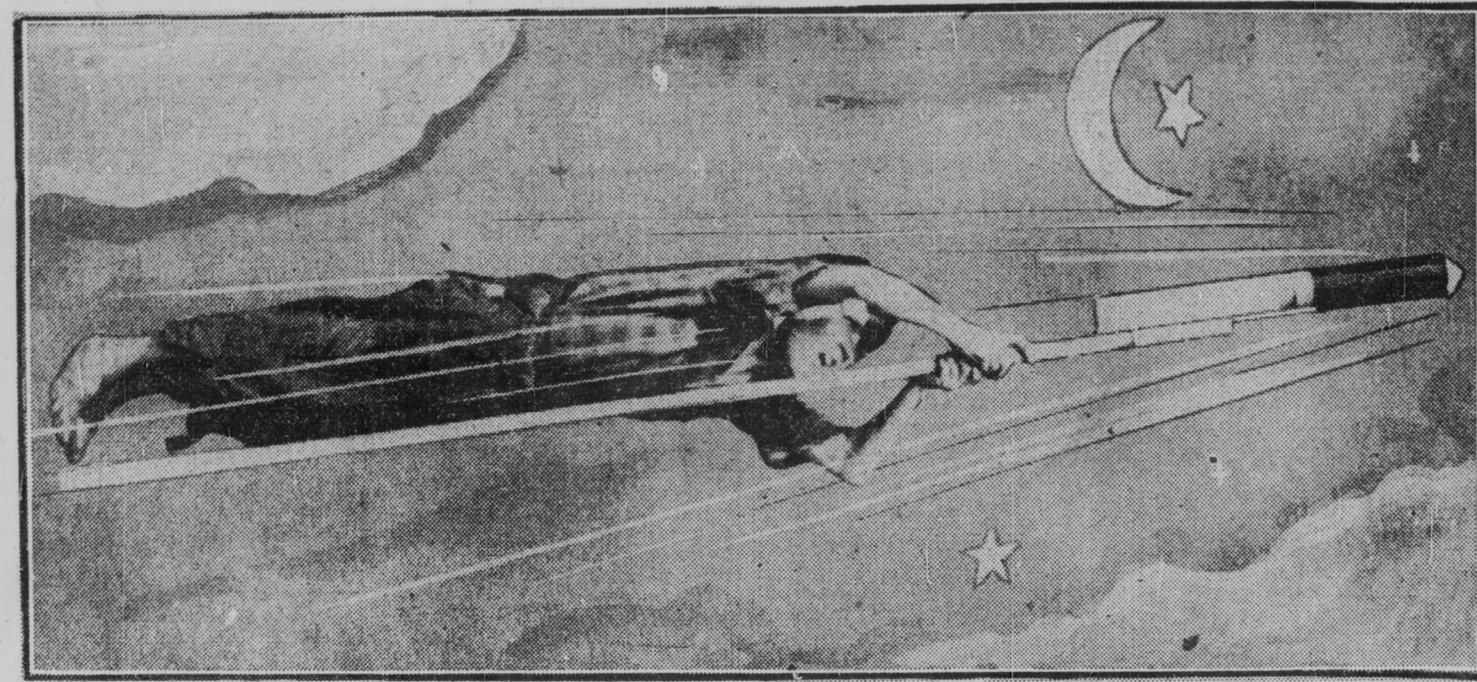


Photo shows unidentified boy, reported to have been come down on the neighboring planet. The story of how this photo was rushed by various technical processes to The Times is too complicated for the average reader to understand. You probably wouldn't believe it, anyway.

WORLD FLIERS GO A-SAILING

Post and Gatty Rest on Millionaire's Yacht.

STAMFORD, Conn., July 4.—Wiley Post and Harold Gatty were lounging under a deck awning somewhere in Long Island Sound today, spending the Fourth of July far from the roar of the crowd and the roar of airplane motors.

They boarded the yacht Saelmo of William C. Todd, millionaire shipbuilder, here late Friday, coming directly from a grueling round of dinners, speeches and ovations in New York, the fliers and their wives had to undergo Stamford's frenzied greeting before they escaped to the refuge of the open sea.

Despite the fatigue they must have felt, the aviators were in good humor and smiled cheerfully at the throngs which lined the streets through which their automobile passed.

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Dog—Gone

'Tuffy' Prefers to Walk After Family Car Hits Pole.

SOMEWHERE in southern Indiana Tuffy is trotting today, wondering where his master and mistress are and realizing this is his first Fourth away from home.

Early today an auto driven by Jacob Eichberger, 30, of Chicago, draped itself around a lamp pole at Madison avenue and Ray street. The pole took on a drunken angle and wires toppled over the car.

Mrs. Eichberger let out a series of screams.

"Save my car, save my car," And, in answer, firemen came to the rescue dragging the car from under the net of wires. As they did so, 300 street lights in the south part of town blinked their last for the night.

When police arrived, firemen were straightening out the front part of Eichberger's car.

Another scream emitted from the inner darkness of the car.

"Oh, where, oh, where is my dog?"

It was Mrs. Eichberger. She had just missed her little black and white pup, Tuffy.

"Oh, my dog, he is gone," she moaned. "And just think, I bought a license for him just yesterday."

FASCIST CHIEFS LEADING CHURCH WAR, POPE SAYS

Encyclical Brands Government With Tolerating, If Not Directing, Attacks on Italian Catholic Orders.

BY RALPH HEINZEN
United Press Staff Correspondent

PARIS, July 4.—The bitter, historic struggle between church and state in Fascist Italy took a dramatic turn today with the publication of a forceful encyclical issued by Pope Pius XI, laying before the world his grievances against the regime headed by Premier Benito Mussolini.

The pope, firmly defending the authority of the Roman Catholic church—embattled in the land of its birth—charged the Fascist authorities with tolerating, if not actually directing, recent attacks on the Catholic young men's clubs of Italy.

In his encyclical—brought to Paris from Vatican City by trusted courier to avoid possible restriction by the Italian government—the pope charged that the suppression of the clubs, with attendant irreverence and violence, were part of the Fascist government party's plan to add to its own power through gaining control of the youth of the land.

The latest document from the Vatican, brought abroad to be free of the restrictions possible in the sphere of Fascism, was dated: "Rome, from the Vatican, in the solemnity of the holy apostles Peter and Paul, June 29, 1931."

The major charges in the encyclical, in summary, may be said to include:

1. The Fascist government, using the Azione Cattolica merely as a pretext, has attempted to tear away from the church all the youth of Italy, for a political reason.

2. The Fascist party oath, as it stands and as administered to children and youths, is illicit because it is contrary to the rights of the family and the rights of the church.

3. Violent acts and insults to the pope in connection with closure of the Catholic clubs were permitted by Fascist authorities and led to the impression that there were "uniform directions received from some high authority."

4. The suppressed Azione Cattolica branches never were engaged in politics, as charged, nor were the leaders anti-Fascist.

5. The Fascist party is incompetent to educate the youth of Italy, a point which long has been a serious strain on Italo-Vatican relations.

6. "The battle now being fought is not political, but moral and religious, exquisitely moral and religious."

7. The government authorities "have assisted or were about to assist silently and by inaction" in anti-Catholic demonstrations which occurred in certain districts after the pope had canceled various festivities because of the present crisis.

The pope's encyclical, bringing to a climax the vain efforts to achieve a diplomatic settlement of the Italo-Vatican controversy, apparently was given to the world by a diplomatic maneuver which avoided the possibility of delay or interference and assured publication everywhere.

The pope said that the Fascist party had acted "to monopolize completely the young from tender years up to manhood and womanhood, and all for the exclusive advantage of a party and a regime based on an ideology which clearly resolves itself into a real pagan worship of fate which no less is in contrast with the natural rights of the family than it is in contradiction of the supernatural rights of the church."

Fascists Disturbed

ROME, July 4.—The foreign office declared today that the latest encyclical of Pope Pius XI is not expected to improve the Italian government's attitude toward the Catholic church.

A foreign spokesman said officially the government was not aware of the encyclical. He admitted, however, that from reports of its text, it could not be expected to clarify the situation.

Cell-ebrates

Pastor Stays in Jail to 'Save Nation' From Foul Books.

CHICAGO, July 4.—The Rev. Phillip Yarrow, crusader against erotic books, celebrated a confined but what he called a satisfactory Independence day in his cell at the county jail, where he is serving a sentence to uphold a principle.

"The founders of our nation suffered to uphold America's right to freedom," the minister said. "I don't mind spending some time in jail to save my country from foul books."

Meanwhile, Walter Shaver, the bookseller who is responsible for Yarrow's being in jail, paid \$3.50 to the county for another week's board for the minister. Shaver will continue to pay the board indefinitely, he said.

Shaver urged Yarrow for damages, charging that the minister persuaded him to sell an allegedly obscene book and then had him prosecuted. Publicity from the case ruined his business, the bookseller said.

The court awarded Shaver \$5,000 but the minister refused to pay. He went to jail under an old statute and will stay there as long as Shaver pays the \$3.50 a week for board, or until the bookseller gets his \$5,000.

"I have organized a little congregation here in debtors' row," Mr. Yarrow said today in his cell, "and I am happy. I am confident that justice will be done soon and I will be released."

HEAVY RAINS END STATE HEAT WAVE

Central, Southern Portions of Indiana Drenched; Mercury Dives.

Heat wave of two weeks' duration was shattered today as cool weather throughout the state brought relief, following rains that drenched central and southern Indiana Friday night.

The rains, which broke late Friday afternoon, were estimated to be valued at millions by farmers whom, heretofore, only have received top soil precipitation in their sections of the state.

Although no rain was reported in the northern part of Indiana, the mercury fell several degrees over this section, most weather stations reporting drops such as in Indianapolis when the mercury skidded from 89 Friday afternoon to 69 this morning.

Downpour at Shelbyville

Heaviest rain reported in the state was at Shelbyville where it totaled 3.35 inches. Pencil reported 2.21; Terre Haute, 2.58, and Greencastle, 1.56. Indianapolis rainfall totaled .64 of an inch.

Additional rain is expected Sunday in some parts of the state, cloudiness to increase following fair weather today and tonight.

The break in the torrid wave brought the first regular sleep Friday night to many residents who have been seeking their rest in parks, on porches and along highways.

Report Heat Prostration

Until late Friday many were in the open, drinking in the lake-like breeze.

Motorists, who first despaired of taking their annual Fourth of July jaunt, packed up hurriedly today to take advantage of travel in the coolness.

Mrs. Agnes Nickels, 25, of 28 North Riley avenue, is in city hospital today recovering from heat prostration suffered Friday afternoon in a downtown pharmacy.

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Report Heat Prostration

DEBTS HOLIDAY ACCORD IS BELIEVED REACHED; STRIVE TO SETTLE FINAL DETAILS

Mellon and Ambassador Edge Open Last Conferences With French Officials; Smooth Out Major Differences.

PROMPT AGREEMENT IS EXPECTED

Press Accepts Government Communique as Announcement of Formal Completion of Negotiations.

BY RICHARD D. McMILLAN
United Press Staff Correspondent

PARIS, July 4.—Andrew W. Mellon, United States secretary of treasury, resumed his conferences today with the French government in an effort finally to reach a definite accord on the Hoover war debts holiday scheme.

Mellon, accompanied by Ambassador Walter M. Edge, went to the ministry of finance for conferences with the minister, Pierre Etienne Flandin, to discuss certain unsettled points.

A general impression prevailed, however, that an accord, in principle, had been reached and that today's conversations were merely to smooth out details prior to announcement of a complete understanding.

Parliament adjourned for its summer vacation soon after midnight, but the cabinet was scheduled to hold another special meeting at 4:30 p. m. to consider the progress on the Hoover plan negotiations.

An official communique was issued by the French authorities regarding the accord, in principle, it said:

"The delegates of the two governments continued their examination of the Hoover proposals in response to the French note. Mr. Mellon confirmed that the United States government had decided to accept the principle of payment by Germany of the unconditional annuity in the Young plan."

"Other important divergences of views were smoothed out. Minor difficulties will be submitted to the council of ministers. An accord on the technical financial phases of the negotiations, providing other interested nations adhere, seem to be practically concluded."

The French press accepted the communique as announcement of an agreement, emphasizing that only comparatively unimportant details remain to be smoothed out and these were expected to be settled promptly.

MOTORISTS URGED TO 'GIVE ANIMALS CHANCE'

Pennsylvania Official Urges Care in Country Driving.

HARRISBURG, Pa., July 4.—Benjamin Eynon, Pennsylvania Registrar of Motor Vehicles, urges motorists to give animals on the highways a chance for their lives.

"The operator who won't give a chicken or a dog a chance doesn't deserve a license," Eynon said.

"Animals wandering alone on the highway may not have any legal rights in the eyes of the law but some moral consideration is due them."

"From the operator's point of view alone it is no misstatement to say that more than one accident has been caused by collision with some animal," he said.

Eynon advised special care and patience to motorists held up temporarily by droves of cattle.

PAY HONOR TO WILSON

Late President's Wife Is at Posen, Poland, for Celebration.

POSEN, Poland, July 4.—The city was bright with Polish and American flags today in celebration of the Fourth of July dedication of a memorial to President Wilson.

The ceremonies were attended by Mrs. Woodrow Wilson, widow of the war-time President; President Ignacy Moscicki and other persons high in the government.

HE'S ACE WOOD CUTTER

Oregon Man Cuts Through 58-Inch Tree in Two Minutes Plus.

ALBANY, Ore., July 4.—Any man who thinks he can chop wood might well consider the ability of Pete McLaren, world champion wood chopper.

He won \$50 here by cutting through a fir log fifty-eight inches in circumference in 2 minutes 45 seconds.

Under terms of the contest he had to cut the log in two-thirds of the time required by Paul Miller, former Albany high school football player and experienced logger; Roy Morlan of North Albany and George W. Hayes of Albany. McLaren won handsily.

BAN ON FREIGHT TRUCKS

Rumbling Vehicles Can Use Only One Road at Yuma, Ariz.

YUMA, Ariz., July 4.—Rumbling freight trucks no longer disturb Yuma citizens due to a city ordinance prohibiting trucks from passing through business or residential districts. One highway, circling the town, may be used.