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The Indianapolis Times

HOME

Partly cloudy tonight and Friday with little change in temperature.

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MUSSOLINI'S RULING BLOW TO CATHOLICS

Decreases Membership in Both Fascisti and Azione Incompatible.

MOST DRASTIC MOVE

Controversy Will Flare to New Heights With Edict.

By United Press
ROME, July 9.—Premier Benito Mussolini ruled today that membership in both the Fascist party and in Azione Cattolica, the Catholic lay organization, are incompatible. The ruling was regarded as the most drastic move yet taken in the controversy between the Vatican and Italy, and would compel Catholics to desert Azione if they desire to remain Fascists.

Mussolini's decision was announced in a circular which the secretary of the Fascist party sent to all branches of the party. The circular, after revealing the order from the head of the government and the head of Fascism, said: "Compatibility of membership in the Fascist party and organizations under jurisdiction of Azione Cattolica is hereby revoked."

Rule out 1930 Law
Membership in the two bodies simultaneously had been proclaimed compatible by Augusto Turati, then secretary of the Fascist party, after his official visit to the pope in February of 1930.

The newspaper *Globo d'Italia* in an obviously "inspired" article earlier in the day, asserted that the pontiff had worked with enemies of the Fascists both at home and abroad.

The charge followed earlier press attacks involving the Catholic laymen's organization, Azione Cattolica—which it was asserted also was involved in anti-Fascist activities—but for the first time aimed directly at the pope.

Challenge Is Issued
A challenge was issued by the newspaper to the *Observatore Romano*, semi-official Vatican organ, defying it to disavow formally any solidarity between the pope and anti-Fascists.

The recent encyclical of Pope Pius, which was sent secretly to Paris, was declared to be "a violent act of hostility" because of its attacks on the Fascists in connection with the education of the youth of the nation.

CAKE FOR ROCKEFELLER

Rain Keeps John D. From Usual Golf on His Birthday.

By United Press
TARRYTOWN, N. Y., July 9.—Rain kept John D. Rockefeller Sr. from playing his usual nine holes of golf Wednesday, his ninety-second birthday, but he enjoyed his regular automobile ride and a simple celebration with the family at dinner.

There was a frosted birthday cake on the table.

SLAMS DEBT HOLIDAY

Hoover Hasn't "Pulled Very Big Rabbit Out of Hat," Says Colby.

By United Press
NEW YORK, July 9.—The war debt moratorium obtained by President Hoover will benefit bankers, but when the American people realize they are paying other nations war debts "it will be seen that the President hasn't pulled a very big rabbit out of the hat," in the opinion of Bainbridge Colby, secretary of state under Wilson.

EX-CONGRESSMAN DEAD

Pistol Wound Fatal to R. L. Henry, Wet Candidate for Senate.

By United Press
HOUSTON, Tex., July 9.—R. L. Henry, 67-year-old former congressman and wet candidate for the United States senate in the last election, died today from a pistol wound. Henry was found shot through the head in the bathroom of his home. He was found lying unconscious on the floor and never regained consciousness. A pistol lay by his side, fired once. He had been in ill health for more than a year.

OCEAN YACHT SIGHTED

Europa Gets Glimpse of American Ketch Battling Atlantic.

By United Press
NEW YORK, July 9.—The American ketch, *Landfall*, is the first of the yachts reported sighted after putting out Saturday from Newport on a trans-Atlantic race. The *Landfall* is reported as being about 500 miles due east of New York. She was sighted by the liner *Europa*.

STIMSON IS IN ROME

U. S. Secretary of State Arrives at Foreign Ministry in Tour.

By United Press
ROME, July 9.—Colonel Henry L. Stimson, American secretary of state on a tour of Europe, arrived at the foreign ministry today in company of Ambassador John W. Garrett. He was conducted to the office of Dino Grandi, Italian foreign minister.

U. S.-Tokio Fliers Are Forced to Land at Nome

By United Press
NOME, Alaska, July 9.—The airplane Fort Worth, in which two Texas fliers proposed a trans-Pacific flight, was forced to land here today when the fliers were unable to

make a contact with their refueling plane.

By United Press
NOME, Alaska, July 9.—Hampered by fog and poor visibility, Reginald L. Rob-

bins, "old man endurance from Texas," and Harold S. Jones, flying oil man, were hovering uncertainly over Nome today fruitlessly attempting a refueling contact

in their nonstop flight to Tokyo.

After making a 1,900-mile hop from Seattle, Wash., to this last outpost of the North American continent, the Texans had circled several hours over Nome unable to effect the refueling contact with their big plane.

Zooming out of murky skies, the trim yellow and

white monoplane first made its appearance over Nome at 7 a. m. (Indianapolis time) and headed northwest toward the Bering Straits. Later, however, the Ft. Worth reappeared and circled slowly over the city.

Built for endurance rather than speed, the Ft. Worth on its way here plodded steadily through the air, hitting a

pace at slightly under ninety miles an hour.

With their contemplated route lying across the Bering sea and the Pacific ocean and down the coast of Siberia covering an area of uncertain weather conditions, the fliers faced the possibility of sudden and fierce squalls that may arise at any moment to menace them.

Post, Gatty Dip in Salute to City



Left to right: Dan McDuffee, Mrs. Wiley Post, Mrs. J. H. McDuffee, Mrs. Harold Gatty and J. H. McDuffee.

Aviation's latest heroes, Wiley Post and Harold Gatty, dipped their historic around-the-world plane, the Winnie Mae, in a circle low over municipal airport here today and then sped westward toward Chickasha, Okla., where a home town reception awaits Post.

On the ground as the white Lockheed roared fifty feet off the ground at almost 200 miles an hour were

wives of the fliers, who climbed into the Prest-O-Lite Lockheed, a sister ship of the Winnie Mae, and took off to speed with their husbands into the west.

The Prest-O-Lite plane was offered to transport Mrs. Gatty and Mrs. Post after the plane in which they rode from New York was damaged when it ground looped on the field at Port Columbus, O., Wednesday.

J. H. McDuffee, vice-president and general manager of the Prest-O-Lite Company, who offered the plane, joined the wives of the fliers here for the ride to Chickasha. Dick Knox was at the controls of the plane, and Dan McDuffee, son of the Prest-O-Lite official, was a passenger. Dan McDuffee left the plane here.

Mrs. Gatty and Mrs. Post took off from Port Columbus this morning at 8:20 (Indianapolis time) and arrived here an hour later.

On the field they were greeted by Mayor Reginald H. Sullivan, a few city officials and a handful of spectators and airport attaches. They posed for photographs and talked with newspapermen.

"I was a little scared when we had the accident yesterday," Mrs. Gatty confessed. She is a novice in the air, having made her first trip into the sky to rush eastward to greet her famous husband when the Winnie Mae completed its dash around the world last week.

The fright the ground loop gave her, though, hasn't dampened her enthusiasm for flying, she said. Heavily fueled, the Winnie Mae was to make the flight from Port Columbus to Chickasha without a stop. The around-the-world ship appeared over Municipal airport at 9:35 a. m.

Prosecutor Is 'Beaten Up' by Ex-Convict and Pals

By United Press
CLEVELAND, July 9.—Three men, one of them an ex-convict sent to Mansfield reformatory by Assistant County Prosecutor John A. Fitzmartin, attacked the county official here today, beating him into unconsciousness as he sought to fend them off.

The attack occurred as Fitzmartin was driving home from the residence of a friend. The prosecutor's automobile was forced to the street curb, and his three assailants leaped on the running board, pulling open the door of the car.

they began beating him with their fists. "For nearly five minutes the three stood on the running board and beat me," Fitzmartin said. "I tried to defend myself, but it was useless. When I sank down in the seat one man kicked me several times."

When the prosecutor lost consciousness his assailants took \$17 from his pockets and fled, he told police. Bleeding from cuts on the face and body, Fitzmartin related the story of the attack to police. He said he recognized one of his assailants as the auto thief he sent to the reformatory.

BAKER APPLAUDS SHOOTING OF BANDIT; SENTENCES FOUR

A dead bandit is better than a live one.

This theory was expressed today by Criminal Judge Frank P. Baker when he sentenced four youths to terms in the Indiana state reformatory on robbery and auto banditry charges.

The judge's comment averted dead bandits came when a deputy prosecutor mentioned the fact that one of the youths, John Sink, 31, of 1042

South Pershing avenue, had been shot during the holdup of the grocery of Carey Harlan, 3764 West Washington street.

Judge Baker hung an unofficial medal on Harlan for shooting Sink with, "It wouldn't have been any loss to the community if he had killed Sink."

And with the declaration the judge sentenced Sink, Dale Kinder, 21, of 202 South Harding street, and Harry Shouse, 30, of 141 East Raymond street, to twelve years in the reformatory.

He granted leniency in dealing with Ollie Shouse, 19, brother of Harry Shouse, however, by sentencing him to one to ten years in the reformatory. The age of the boy and the fact he was implicated in but one robbery aided in lightening the sentence.

A fifth youth, Garvis Miles, 29, of 1932 South Pershing avenue, was sentenced to the Indiana state prison by Special Judge Clyde Karrer on a revoked parole. The robbery charge against Miles was dismissed by Karrer. Judge Karrer recommended that Miles serve five years more on

the one-to-ten-year sentence which he received for vehicle taking and upon which he was paroled. Miles was a member of the bandit gang.

RUDY'S DAD PLEASED

Vallee, Bride Will Visit His Home Town.

By United Press
WESTBROOK, Me., July 9.—Rudy Vallee's home town planned today to welcome him and his bride, the former Fay Webb, when the newlyweds arrive here this week-end.

Charles A. Vallee, retired druggist and father of the radio crooner, said today he had received word that the couple would spend Saturday and Sunday in Westbrook.

"We are delighted with the marriage," said the Elder Vallee. "We first met Fay in Hollywood last year. We were impressed with her charm, character and pleasing personality."

AND THEY LEARNED ABOUT MOSQUITOES FROM THEM—HEY, HO!ST ANCHOR!

This is the first of a series of articles by Edward C. Fulke, Times Staff Writer, on a vacation spent in a motorboat on the Ohio river.

BY EDWARD C. FULKE
THIS is the tale of two dry land sailors who put out from Madison Ind., two weeks ago to "conquer" the Ohio.

Now this isn't a story about daring adventures and strange ports. It's more like a true confession. Joseph Conrad doesn't have a thing on us when it comes to being realistic.

It was a wild, a thunderous river, that greeted our arrival.

All the sonnets of poets about the nobility of rivers were so much idle rot to us in the face of the spray that whipped over Margarene's deck into our faces, stinging like hot coals. It was, as was said, a rough river.

There were two of us and a boat. In the boat was a cargo of

camp stuffs. In us there was a dread. It would have been a long swim to either the Kentucky or Indiana shore, and if drown we must, it never could have been done gracefully on that afternoon.

Madison, squatting indifferently on the north bank, was fading behind. Ahead was probably the darkest storm cloud that ever came out of the west.

Over the brow of a distant hill the torrent of rain came, jabbing the river into angry swells before it. In the center of the river, we, two very meek "sailors," put to shore. The boat tossed dizzily on each swell under the wind. Two sailors gripped grimly—it really was like that.

Kentucky calls the south bank of the Ohio a shore. We gave it a different name. It was a poor quality of mire.



night, thoroughly tired and very cautious, the "crew" of the Margarene crept toward the Indiana shore a scant ten miles down the river from their starting point, glad to be at home in any port.

Then there's another sad story. It's about the peculiar drone that characterizes the Ohio by night. We learned about it the first night "out."

The noise resounds the breadth of the river—humming softly like a southern melody—and then pounces upon you with all the viciousness of a flock of vultures. Each tiny soldier measures fully an inch from tail to sword—and all the king's horses couldn't keep him off. Indianapolis boasts of mosquitoes, but they "ain't seen nothing yet!" here.

Louisville's smoke abatement league wasn't functioning while the Margarene lay docked for two days. It rained soot and rain for those two days.

On the third, two thoroughly initiated "river rats" put back up the river, seeking more rural grounds. To our regret, the very quaint old river boat wasn't on hand with her callopes and her jazz orchestra to bid us bon voyage. Miles passed slowly churning upstream. The sun drove straight at our faces, leaving a hard-earned but much wished for tan. That afternoon we began to note a number of tall blue smoke columns rising from the Kentucky hills at distant intervals.

That any Kentuckian should need a fire on this particular day with the mercury hovering near the 100 degree mark, was problematical; but that every Kentuckian at "stations" every four or five miles was suffering from the cold seemed phenomenal. At camp the fourth night out we were to learn a few things about these hillside smoke "screens."

(To Be Continued)

'I'M THE LAW,' BOAST LAID TO PROSECUTOR

Natural Gas Co. Brands Vigo County Official as 'Emperor.'

BALTZELL ON BENCH

Federal Judge Will Rule on Concern's Petition for Injunction.

Purported efforts of Charles C. Whitlock, prosecutor, and labeled "Emperor of Vigo County," to harass the Kentucky Natural Gas Company in its laying of a lateral pipeline to the plant of the Universal Gas Company in Terre Haute, were described in federal court here today by a half-dozen or more witnesses.

Narration of Whitlock's alleged high-handed attitude with officials of the natural gas company consumed the morning session of hearing on the Kentucky concern's petition for an injunction from Judge Robert C. Baltzell to halt the prosecutor's interference with the work. The hearing continued this afternoon.

The prosecutor's so-called "arbitrary" attitude was described by H. M. Donovan Curran of St. Louis, vice-president of the company. He told how after Whitlock made an affidavit that the company's employees were obstructing the high-ways while laying the pipe and announced that he would arrest all of the workmen, Curran and W. J. Hinchey, vice-president in charge of operations, and their attorneys had a conference with Whitlock.

Arrest Was Threatened

At that conference the prosecutor declared that the franchise the gas company obtained from the county commissioners at prices as low as that the company had no right to operate in Indiana, it was testified. Whitlock then threatened to arrest all of the employees of the company on a wholesale basis if they tried to continue operations, the concern was told.

"Whitlock declared," Curran testified, "that if we did not meet all of his demands he would not permit us to proceed."

"You must break your contract with the Universal Gas Company (Terre Haute distributing concern) and get out of this state," Whitlock, it was testified, asserted.

When told by Curran that the public service commission regulated the rates, witness said, he declared: "make the laws for Vigo county and you'll do as I say while you are here."

"I Make the Law

"You are not in Indiana, you are not in the United States, you are in Vigo county, where I make the laws."

At this point Judge Baltzell inquired whether "I will have to get a passport next time I go to Terre Haute?"

Whitlock, in his attack upon the company, asserted that the officials would have to get a new franchise satisfactory to him and that the county commissioners could act only on a franchise as he told them, witnesses said.

It was then that Samuel Miller, attorney for the natural gas company, told him the "emperor of Vigo county."

The prosecutor, it was testified, also declared that if the Kentucky company wanted to make contracts with Terre Haute industries it would have to negotiate with him as he represented.

Curran testified how attempts were made to placate Whitlock, but the prosecutor wouldn't talk to them.

"You are in Vigo county now," he declared. "I am going to do everything I can to keep you out of this county and throw you out of the state the testimony went on to declare."

Attempt to End Hearing

Judge Baltzell indicated that in his opinion the gas company would have to test the validity of the franchise in the state courts, but he continued the hearing on the petition for an injunction against Whitlock for alleged interfering with the construction of the pipe line.

Attorneys for Whitlock, the sheriff, John Dreher, and twelve deputies filed motions to dismiss the petition on the ground that there is no federal question involved, although the complaint and the examination brought out that the Kentucky natural gas company is a foreign corporation doing an interstate business.

Photographs were introduced to show that the highways were not obstructed by pipe line laying, and Hinchey testified at length as to the methods used.

Attempt to end the hearing this afternoon will be made by Judge Baltzell, who is to leave Friday for Superior, Wis., where he is to occupy the bench.

JIMMY'S NEPHEW 'UP'

Seabury Will Call Walker Kin in New York Probe.

By United Press
NEW YORK, July 9.—Samuel Seabury, counsel for a legislative committee investigating alleged corruption in New York City, today announced he will question William H. Walker Jr., a nephew of Mayor James J. Walker, regarding the nature of his position with the Lehigh Portland Cement Company.

Seabury's aids have been investigating rumors that political connections played a part in awarding contracts for building materials.