

ROAD GROUP TO OBEY COURT IN BLACKTOP WAR

Decide to Specify Three Material Types as Ordered by Judge.

Indiana state highway commission has decided to obey the law. This decision was reached following an executive session of commissioners with Director John J. Brown this morning. At noon Chairman Albert J. Wedeking of the commission emerged with the following statement prepared for the press:

"After conference with the attorney-general, the highway commission, on his advice, voted to proceed under the terms of the recent decision of Judge Chamberlin of the Marion circuit court, to prepare specifications on three or more distinct types of highway and to re-advertise the projects affected by the decision, namely, state Road 9, from Huntington to Columbia City, and all other projects involved."

Enjoined Commission

Judge Harry O. Chamberlin last week enjoined the commission from proceeding with the State Road 9 paving, because it was let on a contract where specifications were all for bituminous pavement.

In his opinion, the judge pointed out that any layman might know that three types of blacktop did not meet the law's requirement for competition between three "distinct" paving types.

Wedeking stated that the Putnam company had started work on the Road 9 job.

Attorney General James M. Osgood, who scored a complete victory over the commission in the entire matter, has stated that Putnam can not be paid since the commission signed the contract against advice of the attorney-general as counsel for the commission.

Other blacktop contractors are to appear before the commission and show cause why they should be paid for work done under the all-black specifications, it was learned.

Payment Is Likely

It is considered likely that the state will pay them for work done, since the illegality lay with the commission specifications, not the contractors themselves.

Talk was heard that the blacktop interests may appeal the case in the name of the Putnam company.

Wedeking said any state appeal would be up to Osgood, which means that there will be none, since the attorney-general had ruled long ago that all blacktop specifications were illegal, and refused to defend the commission when they insisted on them.

Since the resignation of former Commissioner Jess Murden, Wedeking is credited with bearing the brunt of the blacktop fight, and rumors have been current that, having met defeat, he also may retire.

LAWYER SUES CLIENT AFTER LOSING CASE

Asks Balance of Fee From Convicted Man; Jury Weighs Evidence.

Refusing to pay notes he gave a lawyer to defend his brother because he alleges John Royce, attorney, failed his promise to get the brother off without a sentence, C. E. Compton, 3711 English avenue, is defendant in a \$475 collection suit on trial today in municipal court one.

After two days of evidence the case went to the jury at noon today. A verdict was expected this afternoon.

For \$750, the family of Earl Compton say, Royce promised to obtain a suspended sentence when the youth was tried in criminal court in November, 1930, on a robbery charge. He was sentenced and served one year on the state farm.

Of the total sum \$300 has been paid, the furniture of his mother having been mortgaged to supply that amount.

SAFE YIELDS \$35 TO AMATEUR YEGGMEN

Vault in Food Products Company "Jimmied"; Contents Scattered.

Amateur yeggs, using a jimmy, opened the safe of the J. H. Biehle Food Products Company, 1103 East Thirty-second street, early today and obtained approximately \$35 in change from the strongbox.

Contents of the safe were strewn about the company's offices. Entrance to the building was gained by breaking a lock on the door.

Other holdups and thefts were: Clarence L. Shuey, 701 Sanders street, was robbed of his auto and a watch valued at \$50 by a roadside bandit on U. S. Road 31, south of Southport; Daniel Reed, employee of the English theater, reported theft of jewelry valued at \$65 from his dressing room; clothing valued at \$15 was taken from the auto of Harold Stewart, 226 Bright street, at McClure beach.

DIGGLE RITES ARE SET

Contractor Who Died Sunday to Be Buried Wednesday.

Last rites for James A. Diggle, 69, plumbing contractor, who died of heart disease while on a picnic Sunday near Shelbyville, will be held at 2 Wednesday at the home, 2515 College avenue.

Members of Oriental lodge of the Masonic order will give their ritual at the grave in Crown Hill cemetery.

Mr. Diggle, who came to Indianapolis from Chicago in 1900, operated his firm under the name of J. A. Diggle. He was prominent in Masonic circles. He is survived by the widow and a son, Rutherford G. Diggle.

BOOZE CHARGE DROPPED

Beer Found in Park Avenue Raid Not Defendant's, Court Finds.

Blind tiger charges against Samuel Johnson, arrested in a raid on a beer flat at 1227 Park avenue Sunday night, were dismissed by Municipal Judge William H. Sheffer Monday when it was shown Johnson was not proprietor of the place and did not own a quantity of beer found there.

Start World Flight



Clyde Pangborn and Hugh Herndon, who hopped off today from New York on a trans-Atlantic flight in Moscow. They hope to beat the record of Post and Gatty in their around-the-world flight.

GOLF STARS TO BE INTERVIEWED ON AIR

Times, WFBM Programs to Be Broadcast Next Week.

Six feature golf programs will be presented radio fans over station WFBM during the next week by Frank Sharp, station manager, and The Indianapolis Times.

Leading professional and amateur players of the state who will compete in the Indiana open seventy-two-hole championship at the Speedway course next Monday, Tuesday and Wednesday will be interviewed by Dick Miller, golf editor of The Times.

Programs will be presented Thursday, Friday and Saturday of this week and the following Monday, Tuesday and Wednesday.

Each player will describe the most sensational shot he has ever made. Duffers usually applaud these shots but rarely make them. In addition the pros will tell why the shot was "on" and not dubbed.

Several Indiana pros and amateurs have national reputations, the result of their sensational play in big time tournaments, all of them will be on the air each night during the fifteen-minute program.

The program Thursday and Saturday night will begin at 7:15 p. m., for fifteen minutes. Friday night and also next Monday the feature will get underway at 7:30 p. m. The golfers will go on the air 8:00 p. m., on Tuesday and Wednesday.

Among players to be interviewed are: Roy Smith, president of the Indiana P. G. A.; Neal McIntyre, Ralph Stonehouse, Chuck Garling, and Dick Nelson, prominent local professionals; Johnny McGuire, captain of the Indianapolis public links team; George Lance, state amateur champion; and Guy Paulsen, who was in the thick of the fight for the national open title at Toledo earlier this month.

All the latest inside dope on the 72-hole open championship to get under way next Monday at the Speedway course, as well as the inside on the golf shots that give you most trouble, makes the radio program one you cannot afford to miss. Tune in Thursday night at 7:15 over WFBM.

BANK DECREE FAILS

German Out-Payments Not Made in Full.

By United Press

BERLIN, July 28.—A new emergency decree issued by President von Hindenburg today failed to provide for reopening of German banks on a temporary basis Wednesday, but essentially upheld present restrictions on banking transactions.

Today's statement promised that the authorities would do their utmost to assure resumption of full banking business next week.

A slight increase of amounts paid out was permitted, however.

It was understood the government's decision not to resume full out-payments Wednesday was owing to apprehension over the proximity of the first of August, when the many payments due might cause a new big run on the banks.

\$3,000 Loss in Barn Fire

By Times Special

ANDERSON, Ind., July 28.—Loss of \$3,000 resulted when a barn burned on the farm of Kenneth Pettigrew, five miles southwest of here.

It's All Gone

By United Press

LLANERCH, Pa., July 28.—O. H. Kaupp, whose home has been looted by robbers three times, within the past few weeks, has become tired of being bothered, so the following notice was posted on his premises:

"The burglars—will the burglars who contemplate another visit to the home of Mr. and Mrs. O. H. Kaupp, Park road and Lancaster avenue, please note:

"The first visit got the money, jewelry, etc. The second visit cleaned out the rest of jewelry, whatever liquor we had and a few valuable; the third recent visit was not profitable, because there was nothing for you to get."

"If you must come again, you would better bring a truck to take the furniture, as that is all there is left."

TRY TELEVISION FEAT

G. E. Engineers Attempt to Project Voices, Faces Across Sea.

By United Press

SCHENECTADY, N. Y., July 28.—For the first time in the history of television, an attempt was made to project both the voice and image of a man across the Atlantic ocean, the General Electric company laboratories here today.

It was hoped the voices and faces of Dr. Walter Schaeffer and Walter Reichardt, of the German Broadcasting Company, on a visit here Monday. It is believed the men had an accomplice waiting in an automobile, although no one saw the men after they left the office with the horse he was riding.

Bandits Still at Large

By Times Special

PERU, Ind., July 28.—Authorities are without a clue to two men who obtained \$1,500 in a daylight holdup of the Indiana Public Service Company office here Monday. It is believed the men had an accomplice waiting in an automobile, although no one saw the men after they left the office with the horse he was riding.

Monkey Eats Flea Actors

By Times Special

KOKOMO, Ind., July 28.—Sanchez Fitzgerald, carnival concessionaire, was put out of business when a monkey ate a troupe of performing fleas belonging to Fitzgerald.

666 LIQUID OR TABLETS

Retrieves Handicaps for Neuritis in 30 minutes, checks a Cold the first day, and checks Malaria in three days.

666 Salve for Baby's Cold

THE INDIANAPOLIS TIMES

LINDY AND WIFE HOP AWAY FOR DASH TO JAPAN

Morrow Home in Maine to Be First Stop on Long, Perilous Journey.

(Continued from Page 1)

ing supplies, emergency food rations, pistols and a collapsible rubber life-boat.

Guests of Castle

State department specialists on far eastern affairs who could tell the Lindberghs much about the countries they will visit were among the guests at a dinner Castle gave.

Lindbergh said he expected to fly most of the time at about 105 miles an hour, the most economical speed, since the Lockheed plane has been equipped with pontoons. They cut about ten miles an hour off its speed. The plane will carry no more than a normal load of 350 gallons of gasoline, preparations for refueling having been made at each scheduled overnight stop.

From Ottawa the great circle course charted by Lindbergh lies northwest, touching Moose Factory, Churchill, Baker Lake, Akavik, Point Barrow and Nome.

From Nome the course back-tracks that of Post and Gatty, round-the-world fliers, to Siberia. Then the Lindberghs will follow the Kurile Islands to Japan, later going to China.

Faces Perilous Route

By United Press

EDMONTON, Alberta, July 28.—Colonel and Mrs. Charles A. Lindbergh have selected the "dirtiest flying conditions possible" for their journey to the Orient. C. H. Dickins, veteran of the Canadian airways, is flying with them.

The complainant says Stirling is "something of a psychopathic case and somewhat of a tubercular case."

He arrested twice in a month on charges preferred by his wife, who is termed "groundless and malicious." She accused him of assault and battery and provoke.

He alleges that confinement in jail as a result of the arrest undermined his health.

Two wedding ceremonies united

A. J. Wright, blind millionaire of Buffalo, N. Y., and Tatiana Moskova, a prominent member of the Russian colony in London.

Here they are pictured during the rites at the Russian church in London, which followed another ceremony held at the home of Lady Curzon.

BIGAMY CHARGE MAY BE EVADED

Man Trapped by Two Wives Aided by His Youth.

By Times Special

VALPARAISO, Ind., July 28.—His youth may save Donald L. Silberman, Chicago, in jail here on a bigamy charge, from paying a penalty.

Relatives assert he is only 18 years old. He was arrested after his two wives set a trap for him in a road-lake.

Silberman says he was only 15 years old when he married Miss Mary Maloney at Chicago. He asserts he was drunk at the time of the wedding. Two years later, without the formality of a divorce he married Miss Helen Maday here.

Officials are inclined to permit a suit to be filed to annul one of the marriages, and if that course is pursued, the bigamy charge would be dismissed.

THAYER GETS TERM

Third of Robber Gang Sent to Reformatory.

By United Press

HAMMOND, Ind., July 28.—Two amateur radio operators in this section keep Mr. and Mrs. William Brooks in constant communication with their son, Ralph, radio operator for the Donald B. McMillan expedition in the Arctic.

The operators are O. H. Hineline, Hammond, and R. H. Johnson, Chicago. Both use low wave transmitters and receivers. Nearly every morning Mrs. Brooks receives a written message from Johnson and a telephone call from Hineline relating Ralph's experiences of the previous day.

The expedition now is in Labrador, expecting to start soon for Baffin land, above the Arctic circle, on mapping tour.

There are sixteen other persons in the party, and their relatives are advised of the progress of the journey through Ralph's equipment on ship Baffinland. This is his second trip with McMillan on an expedition.

The party left a Maine port June 27, and is expected to return by Sept. 15.

FISH FRY AND LAWN FESTE FOR POOR AID

Veterans of Foreign Wars Auxiliary to Hold Event Aug. 7-8.

Funds for providing poor relief will be replenished at a fish fry and lawn social Aug. 7 and 8 at Belle Vue and Washington street by the auxiliary of Leveille-Gossett post, No. 908, Veterans of Foreign Wars.

The relief fund of the auxiliary is used to help poor and needy over the entire city. More than \$1,500 was spent last winter by the auxiliary, which distributed baskets of food, clothing and fuel.

Mrs. Harriet De Long and Mrs. Helen Welch are in charge of the relief work.

Mrs. Bessie Schropell and Mrs. Cole Michell are in charge of the committee making plans for the lawn social. Mrs. Alice Walker is auxiliary president.

YOUNGEST JUDGE ACTS

Columbus Attorney, 23, Occupies Circuit Bench as Special Jurist.

By Times Special

COLUMBUS, Ind., July 28.—Carlton J. Walker, 23, who, as acting special judge in a case in Bartholomew circuit court here, is believed to be the youngest judge to occupy the bench, since the court was established 100 years ago. He is a graduate of the Indiana university school of law. The case was that of G. M. Setser, guardian of Clara Lucile, Blanche Elizabeth and James Noble Crubaugh, asking for permission to sell real estate. The petition was granted.

Auto Hager was fined that

charge of illegal possession of liquor, in a Port Colborne (Ont.) magistrate's court.

It was