

## CONVICT PLANS ANOTHER FIGHT FOR FREEDOM

U. S. Circuit Court of Appeals May Get Case of Francis Murphy.

*By Times Special*  
ROCKVILLE, Ind., Nov. 21.—Francis Murphy, Terre Haute, seeking release from the Indiana state prison, to which he was sentenced in Parke circuit court here as a result of robbing the Bridgeton State bank seven years ago, may carry his case to the United States circuit court of appeals at Chicago.

The case is one without parallel in the history of Indiana jurisprudence as Murphy made practically no defense at his trial and did not open his fight to be liberated until about three years ago when John K. Stephenson, cashier of the bank, died.

### Convict Makes Statement

About the same time Al House, serving a fifty-year term in the Florida state prison, signed a statement in which he absolved Murphy of blame for the Bridgeton robbery, claiming he and two other men, also Florida convicts, were guilty. Authorities said after an investigation they learned the two men mentioned by House were not in Indiana at the time the crime was committed.

On the strength of the House statement, counsel for Murphy asked for a new trial in circuit court here and their motion was granted. Defense counsel later filed a motion in Vigo superior court at Terre Haute asking that Murphy be admitted to bail.

### Action Forbidden

Counsel for the Indiana Bankers Association succeeded in obtaining a writ of prohibition from the Indiana supreme court forbidding three judges from entertaining a motion for admission to bail.

The next move of defense attorneys was to petition the federal court for northern Indiana for a writ of habeas corpus. This was denied, and now the attorneys are planning action in the appeals court.

### SLAYING CANCELS TRIP

Two Kokomo Men Planned to Hunt With A. L. Culbertson.

*By Times Special*  
KOKOMO, Ind., Nov. 21.—A. L. Culbertson, slain in his home in Mt. Lebanon, Pa., is a brother of George Culbertson, former chemist at the Kokomo plant of the Pittsburgh Plate Glass Company. The widow of the slain man is being held on recommendation of a coroner's jury.

John Delaplane and Mark Falvey of Kokomo had planned a hunting trip with the Culbertsons this week, and had started east to keep the engagement when they learned of the tragedy at Mt. Vernon, O., where George Culbertson now resides.

### Father Accepts Seven

*By Times Special*  
BLOOMINGTON, Ind., Nov. 21.—Seven Indiana university sophomore men students made high enough grades during the second semester of their freshman year to bring them average to a point making them eligible for membership in Phi Eta Sigma, honorary scholastic fraternity. The seven students are: Charles M. Bowman, Albion; David Cohen, Indiana Harbor; Robert M. Cavanaugh, Indianapolis; Max Ganz, Marion; Edward Goldstein, Pater- son, N. J.; Charles H. Kinzer, Laconia, and James Mentzer, Muncie. Initiation services for these seven students will be held Dec. 2.

### Town Decision Scheduled

*By Times Special*  
PLYMOUTH, Ind., Nov. 21.—Whether Argos town officials will be able to proceed with expenditure of \$4,000 for public improvements was to be decided here today by Circuit Judge Albert B. Chipman, ruling on William Poyer's suit to restrain officials from spending the money. Poyer seeks an injunction to hold the officials from spending the money, a surplus fund, to add an addition to the electric plant.

### State Approval Needed

*By Times Special*  
ANDERSON, Ind., Nov. 21.—Petition of Madison county commissioners to the Anderson board of works for extension of municipal electric service to the county infirmary requires approval by the public service commission because the infirmary is now buying electric current from another source. A one-half mile extension of a rural line of the city plant would be necessary to serve the poor farm.

### Liquor Brings Penalty

*By Times Special*  
SOUTH BEND, Ind., Nov. 21.—Miss Helen Young, 27, operator of a liquor establishment, was fined \$250 and costs and sentenced to serve three months at the Indiana woman's prison when she was found guilty in city court of possession of liquor. She appealed to circuit court.

### Death Follows Operation

*By Times Special*  
NOBLESVILLE, Ind., Nov. 21.—Peter B. Simmott, 54, died at a local hospital following an operation. He will be buried at his former home in Washington. The family came to Hamilton county from southern Indiana two years ago. He leaves his widow and three children, Harry and Charles Simmott, near Noblesville, and Mrs. Charles Queen.

### Prisoners Questioned

*By Times Special*  
MISHAWAKA, Ind., Nov. 21.—Two Kalamazoo (Mich.) men arrested here on charges of carrying concealed weapons and vehicle theft, are being questioned in connection with a series of holdups and robberies in the vicinity of South Bend and Mishawaka. They are Joseph Dubey and Jerry Heyden- ber.

### Safety for Savings

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## Train a Day Serves Once Active Line

*By Times Special*  
VINCENNES, Ind., Nov. 21.—Only one freight train a day is being run over the St. Francisville-Vincennes division of the Big Four railroad which once carried three passenger trains daily, and for a short time four were run, all with good patronage.

Back in the days when passenger traffic was profitable, fisherman would bargain with the engineer to stop the train at favorable places for angling and to stop again and pick them up on the return trip. Engineers were often rewarded with fish for this extra service.

## SUIT DEMANDS CLERK'S OFFICE

Auburn Man Replaced After  
Becoming Ill.

*By Times Special*  
AUBURN, Ind., Nov. 21.—Forrest Potter has filed a suit in DeKalb circuit court seeking the office of Auburn city clerk to which he was elected in November, 1929, for a four-year term. He became ill in July and the city council appointed Miss Neva Beatty, former Auburn county recorder, to the place.

Later Potter demanded the office, but the council refused to displace Miss Beatty.

In addition to return of the office, Potter demands salary for five months beginning in July; \$1,000 damages from Miss Beatty and a court order restraining her from serving as clerk.

The office pays a salary of \$900 a year.

### BANK RECEIVER CHOSEN

LaGrange Attorney Will Close Up  
Trust Company Affairs.

*By United Press*  
LAGRANGE, Ind., Nov. 21.—Frank Dunten, LaGrange attorney, was named receiver for the defunct LaGrange County Trust Company by Judge Clyde Carlin here Friday.

E. O. Grady, former president of the institution, had been liquidating agent since the bank was closed.

Judge Carlin said Dunten was named to the post because of his efficient work as receiver for other banks.

Rollo N. Walter, state senator, indicated on embezzlement charges following closing of the bank, is expected to go on trial Dec. 16. B. S. Walter, vice-president of the institution, and Grady are accused in similar indictments.

## INTERURBAN FIELD RULED BY INSULL

Latest Abandonments in  
State Remove All Other  
Companies.

Insull and his Indiana railroad now are alone in the field as Indiana interurban operators.

For the public service commission has authorized the Indianapolis & Southeastern to discontinue its interurban service by midnight, Dec. 31.

The road operates two branches, and was the only line entering the Traction Terminal in Indianapolis that wasn't Insull-owned. One branch goes to Greensburg, through Shelbyville, and the other to Connersville.

Petitions of the company to inaugurate bus service over these routes are pending before the commission.

### Opposed by Greenfield

A total of 146 miles of interurban service was ordered abandoned by the commissioners at a conference Friday afternoon.

In addition to the Indianapolis & Southeastern lines, the commissioners voted to permit the T. H. I. & E., now part of the Insull system, to suspend service from Indianapolis to Dunreith.

This move vigorously was opposed by the city of Greenfield, which will be without interurban service. Original petition was for abandonment of the line from Indianapolis, through Greenfield to Richmond.

But upon a letter of suggestion from the commission the Insull interests concocted a scheme to operate over the line through Newcastle and on to Richmond, causing the abandonment to apply only to the route as far as Dunreith.

Commissioner Jerry West wrote to the Dunreith abandonment order and Commissioner Frank Singleton of the Indianapolis & Southeastern.

The order written by Commissioner Howell Ellis and banning use of the therm system of measurement for gas utilities was adopted unanimously. Commissioner Singleton wrote a separate opinion, however, in which he set forth his views regarding use of the therm.

### Cubic Foot Plan Stands

Both orders admit that it is scientifically correct, but criticize the method used by the utilities in forcing it on clients and crowding out the more easily understood cubic foot system of gas measurement. The cubic foot system alone will

## SLAYER MAKES FIGHT AGAINST CHAIR DEATH

*By Times Special*  
TERRE HAUTE, Ind., Nov. 21.—Counsel for Lawrence Johnson, sentenced to die Dec. 10 in the electric chair at the Indiana state prison for the ax murder here of his 16-year-old wife, Mildred, an expectant mother, is completing an appeal to the Indiana supreme court.

A transcript of the trial record, comprising 1,500 typewritten pages, has been completed. Mrs. Helen Mahay, Vigo circuit court reporter, worked throughout the summer on the transcript.

Johnson is in the death cell at the prison, having been removed there from Vigo county jail here after all efforts in local courts in his behalf had been exhausted by Attorney Norval K. Harris.

The transcript contains several affidavits in support of the defense contention that Prosecutor Charles C. Whitlock and Judge John P. Jeffries made improper statements to the jury.

A stay of execution by the supreme court is believed assured, to give time, for an examination of the record as a basis for a decision on the appeal.

### PUBLIC VIEW BLAMED FOR LIGHT SENTENCES

*Federal Prosecutor Comments on  
George Adams Case.*

*By United Press*  
SOUTH BEND, Ind., Nov. 21.—Oliver M. Loomis, United States attorney, attributes the state's failure to obtain a stronger penalty against George Adams, Ft. Wayne, to "unfavorable public opinion."

Adams was sentenced to two to twenty-one years in the Indiana state prison for manslaughter in the slaying of John Wilson, prohibition agent.

The sentiment of the Ft. Wayne public was reflected by the jury which returned the manslaughter verdict against Adams. Loomis said, "The state is to be complimented for building up a strong case, but unfavorable opinion prevented a maximum penalty."

Loomis said it was possible that Adams would be tried on federal charges after his release from the state prison.

### Bishop Honored

*By Times Special*  
FT. WAYNE, Ind., Nov. 21.—Bishop John F. Noll of the Ft. Wayne diocese has been elected a member of the administrative committee of the National Catholic Welfare Council.

## ELSIE JANIS WON'T ACT UNLESS BROKE



Expresses Desire to Go On  
as Writer While at  
Ft. Wayne.

*By Times Special*

FT. WAYNE, Ind., Nov. 21.—Interviewed while a train was stopped here, Elsie Janis, noted actress, en route from Hollywood to her home in Tarrytown, N. Y., announced she would not return to the stage, "unless I go broke," and expressed her deep interest in her new career as a writer.

She recalled that she has not been on the stage since the death of her mother. Miss Janis writes dialog for motion pictures, and her work has been seen in "Paramount on Parade," "The Squaw Man" and others.

"Oh, well, it's better to quit when you are still beloved," she remarked. "You know, you can go so far in one line, and then the time comes to quit. I've had a lot of fun writing, and writing is what I intend to continue to do."

Asked if the legitimate stage is coming back, Miss Janis said:

"Are you sure it ever went out? I don't think it ever went. It is true that the road show business is bad because of the talkies, but the legitimate is here forever."

### TRUCK RACKET CHARGE PROBED

State Police Told of Extortion From Drivers.

*By Times Special*

SOUTH BEND, Ind., Nov. 21.—Thirteen guests were invited by Mrs. Paul Burke-Berry to her son's birthday party.

After twelve of the guests had arrived, the thirteenth, Daniel Donney, 7, telephoned to say that he had no way to come. Mrs. Burke-Berry drove after him.

En route to the party, Mrs. Burke-Berry was killed in an automobile crash and the thirteenth guest suffered a skull fracture which probably will prove fatal.

### INN WING DEDICATED

Ceremony Held Friday Night at  
Pokagon State Park.

*By Times Special*

ANGOLIA, Ind., Nov. 21.—Four hundred persons attended a ceremony Friday night dedicating a new wing of Pottawatome Inn at Pokagon state park. The wing cost \$28,000.

Speakers on the program were Elmer Lieber, director of the state conservation department; Dr. Stanley Coulter, conservation commission chairman; Judge Clyde Carlin of the Steuben-Lagrange circuit court; Arthur K. Remmel, Ft. Wayne newspaper publisher; Arthur H. Sapp, Huntington, and Robert C. Boren, Fountain City, state highway commission members; Knowles Smith, South Bend, and Martin Goshorn, Clay City, conservation commission members. Edward D. Willis, An-gola, presided.

### WELDING TO BE TOPIC

Annual Conference to Be Held at  
Purdue Dec. 10 and 11.

*By Times Special*

LAFAYETTE, Ind., Nov. 21.—The annual state welding conference will be held at Purdue University Dec. 10 and 11, it is announced by Professor W. A. Knapp, assistant director of the engineering extension department of the university.

The conference will include lectures and demonstrations of welding with electricity and gas. Welding with ordinary city gas is a new development recently perfected at Purdue, after much experimental work.

The course is designed especially for men who are actually doing welding in commercial plants of the state, and for factory officials who have welders working under their direction. The conference usually draws from 150 to 200 persons.

### Indiana Sheriff's Elect

*By United Press*  
FT. WAYNE, Ind., Nov. 21.—Officers chosen at the closing session of the Indiana Sheriff's Association at the annual convention here were: President, Fred G. Lutz, Allen county; first vice-president, Mearl Furry, Elkhart county; second vice-president, Wesley Williams, Sullivan county; treasurer, Homer Steneker, Cass county, and secretary, Clifton, small, Howard county.

### Older Boys to Meet

*By Times Special*  
HUNTINGTON, Ind., Nov. 21.—Program for the twelfth annual state Y. M. C. A. older boys' conference to be held here Nov. 27, 28 and 29 is announced by Earl Saffen, physical director of the local Y. M. C. A. Among those on the program will be Dr. Frank Slutz, Dayton, O., and Dr. Earl E. Harper, president of Evansville college.

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*By Times Special*

GREENCASTLE, Ind., Nov. 21.—E. E. Bartley is the new president of the local Kiwanis Club. Other new officers are John Egan, vice-president; C. D. Chapman, treasurer; R. F. Mullins, trustee; Ernest Browning, John Boyles, Joe Monstock, Audrie Fleener, Bernard Handy, Sam Hanna and Ernest Storer, directors.

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*By Times Special*

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Going on trains leaving after 3:00 a. m. Wednesday, November 25th, to and including trains of Thursday, November 26th.

Return Limit November 29th.