

## DAMAGES GIVEN AFTER DEFAULT BY DEFENDANT

Anderson Judge Acts With Only Evidence of Plaintiff.

*By Times Special*  
ANDERSON, Ind., Nov. 28.—When the defendant in a damage suit failed to appear on time in superior court for trial, Judge Bartlett H. Campbell discharged the jury and instructed attorneys for the plaintiff to present their evidence to the exclusion of the defendant.

After hearing the evidence, the court found for the plaintiff and assessed damages of \$1,000.

The suit was brought by Mrs. Sarah Miller, 72, Williams against Leslie May, Alexandria, and resulted from an automobile accident at the southwest edge of Alexandria on May 22. Mrs. Miller was riding in an automobile as the guest of her niece, Mrs. Laura Dern, Bedford, en route to Toledo.

When a truck emerged from a filling station driveway, Mrs. Dern took refuge on one side of the road, where her automobile was struck by another driven in the opposite direction by May.

The trial was scheduled to begin at 9 a. m. When the defendant and his attorney failed to appear, a bailiff telephoned May's home, being informed that May was in Greensburg. Efforts to find his attorney, Joseph Harrington, was of no avail until forty minutes after the trial had begun. The defense having defaulted, the attorney sought a continuance, which the court overruled.

Testimony of an Anderson physician and a deposition by a Toledo doctor showed that Mrs. Miller suffered three fractured ribs, a punctured lung, bruises and lacerations. She is said to have chronic pleurisy and coughs constantly as a result of the punctured lung, the injury being permanent, physicians testify.

### YOUNG INDIANA MAN . . . FARM HONOR WINNER

Graduate of Middlebury High School Given National Recognition.

*By United Press*  
MIDDLEBURY, Ind., Nov. 28.—Stanford Eash of Middlebury was notified today that he had been awarded the degree of American farmer by the National Congress of Future Farmers of America at Kansas City. He was the only candidate nominated from Indiana this year.

Eash, who was graduated from Middlebury high school last spring, now is farming in partnership with his father and is the manager of a 200-acre farm.

Close records are kept by Eash. His herd of twelve Jersey cows produced 3,442.77 pounds of butterfat in the last ten months. This record has made him one of the outstanding members in the Purdue university farm management extension project.

During the four years of Eash's training in high school and during the last six months, he has selected a herd sire, and chosen replacement stock for the dairy herd, managed poultry flock, inaugurated a farm fertility program, changed and improved the variety of corn on the farm, adopted the brooder house plan of raising chicks, and reorganized the recently acquired 160-acre farm on which he is now living.

### BOMB TRIAL NEAR END

Testimony Will Be Concluded Early Next Week at Princeton.

*By United Press*  
PRINCETON, Ind., Nov. 28.—Attorneys in the Somerville mine-bombing conspiracy trial prepared today to close their cases. It is expected the questioning of witnesses will be finished Monday or Tuesday.

Harmon Kelly, one of the defendants, was summoned to the stand Friday to answer queries by which the prosecution attempted to break down his previous versions of incidents before and after the bombing.

Shouting replies to questions, Kelly denied any part in the alleged conspiracy. He denied emphatically that on Nov. 8 he had told Perry Hudson and Ace Hudson that Abe Vales had paid \$100 for the Somerville job. It was the first time the name of Vales, who is president of District 11, United Mine Workers, had been brought directly into the case.

### LIQUOR CASE DISMISSED

Marion Man Still Faces Three Other Dry Law Charges.

*By Times Special*  
MARION, Ind., Nov. 28.—An indictment charging Harry Miller, reputed Marion liquor and gambling king, with sale of liquor, was dismissed in Grant circuit court on petition of George Hufsmith, deputy attorney-general. Hufsmith had entered his appearance as special prosecutor in the case. The motion to dismiss came after Hufsmith and defense counsel, Harry Roberts, failed to agree on a date for trial. Hufsmith had asked for a continuance.

Miller is still facing two indictments, on possession of liquor charges and conspiracy to transport liquor. Hufsmith will assist prosecutor Harley Hardin in the trial on those charges.

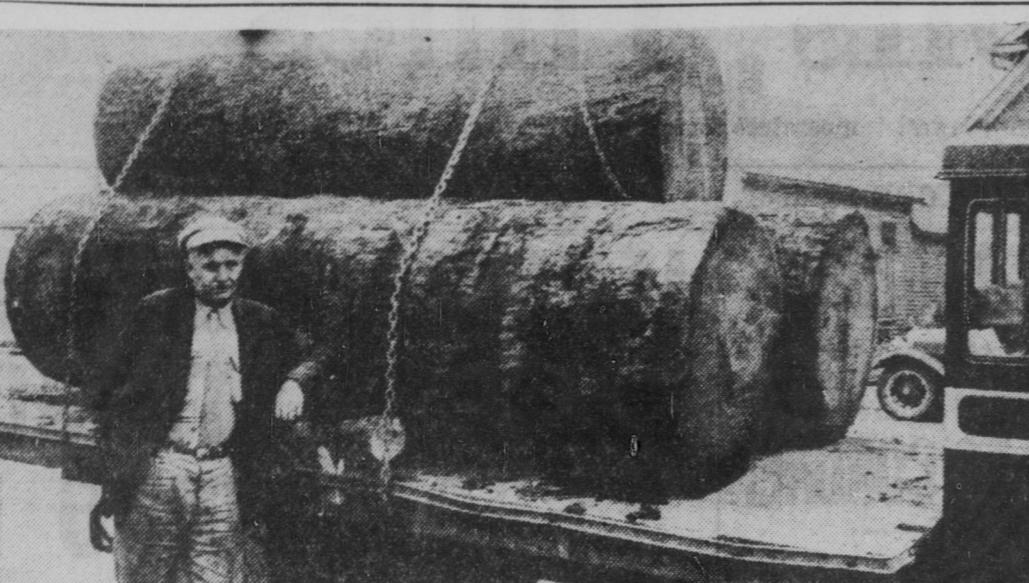
**Rate Cut Sought**

Petition for reduction in light rates of rural communities in Wayne township, Kosciusko county, has been filed with the public service commission by twenty residents and presidents of the county commissioners' board. The rate cut is sought in districts adjoining Warsaw and Claypool. An Insull unit, the Northern Indiana Public Service Company, supplies light and power in the community.

**Suicide Leaves \$25,000**

*By Times Special*  
ANDERSON, Ind., Nov. 28.—Ralph W. Harting, president of the Citizens Bank and Trust Company of Elwood which was closed a month ago, left an estate valued at \$25,000. His son, Ralph W. Harting, and the Elwood State Bank, will settle the estate as joint administrators. Harting committed suicide at his home in Elwood Friday.

## Creek Yields Valuable Walnut Log



J. E. Howard with the valuable walnut log he retrieved from Cold creek, near Terre Haute. Walnut is highly prized by manufacturers of veneer, even stumps of trees of that variety finding a ready market.

Howard sold the log to an Indianapolis veneer company.

## FATHER SEEKS CHILD CUSTODY

Adoption Granted While He Was in Prison.

*By Times Special*  
EVANSVILLE, Ind., Nov. 28.—Alleging that his daughter, Anna Laura Miller, now 16, was adopted by Mr. and Mrs. Emmett Stone without his consent while he was serving a prison term, Elmer Miller has filed suit in superior court here demanding she be restored to his custody. The case has been taken under advisement by Judge Buente.

Answering the father, counsel for the Stones attempted to show that the child's mother had given consent for the adoption, which was completed in Warren circuit court at Bonville in 1925, and that at the time Miller was serving a two-to-fourteen-year prison term.

## FOUR MOVE TO QUASH CHARGES

Valparaiso City Councilmen File Motions.

*By Times Special*  
VALPARAISO, Ind., Nov. 28.—Judge Grant Crumacker of Porter circuit court will hear arguments Dec. 4 on motions of four Valparaiso city councilmen to quash indictments against them alleging illegal allowances of claims on public money.

Defendants are Harold W. Cleveland, Meyers E. Zimmerman, Christopher J. Kane and Henry Jensen.

The indictments followed an investigation by examiners for the state board of accounts.

Counsel for the defendants is William C. McMahan, former Indiana appellate court judge. Prosecutor Howard D. Clark is being assisted by William Daly, special attorney for the city water department.

## INSULL UNIT OFFERS NEW ELECTRIC PLAN

Saving of \$2,000 Yearly Claimed for Hagerstown Contract.

*By United Press*  
HAGERSTOWN, Ind., Nov. 28.—A five-year contract for electric service which, it is claimed, will save Hagerstown \$2,000 annually, has been proposed to local officials by the Interstate Public Service Company, an Insull subsidiary, which has been supplying current for the last ten years. The ten-year contract will expire in June, and Hagerstown officials are seeking a reduction in the base rate of 3 cents.

The town has its own distributing system. A member of the Indiana public service commission is said to have declared the rate of 3 cents excessive.

The Perfect Circle company, Hagerstown's chief industry, is considering the erection of an electric power station, and should this plan be carried out, Hagerstown will increase its current from this plant. No action will be taken on the proposed Interstate contract until a decision is made by the local company.

## BRIDGE HELD UNSAFE

Officials Say Span at Richmond Must Be Rebuilt.

*By Times Special*  
RICHMOND, Ind., Nov. 28.—A survey of a hazardous bridge of the C. & O. railroad on State road 21, at the southern edge of Richmond, will be made by an engineer of the state highway commission, Wayne county officials have been advised.

The bridge has been termed a "grave hazard" by Coroner Russell L. Hatt and several weeks ago he brought it to the attention of Dr. W. F. King, secretary of the state board of health.

Dr. King communicated with John J. Brown, state highway director, who, with the entire commission, made a survey. The commission agreed that it would be necessary to make a fill raising the roadway to a higher level on each side of the bridge, to afford a better grade of road.

Although the bridge was only recently completed, the commission intimated that it would have to be repaired.

Convict's Trustee Sued

*By Times Special*  
COLUMBIA CITY, Ind., Nov. 28.—Samuel B. Trembley, trustee for Leroy S. Crouch, serving a two to fourteen-year term in the Indiana state prison for embezzling funds of the Provident Trust Company of which he was an official, is defendant in a bond surety suit brought by the Metropolitan Casualty Insurance Company of New York.

Prison Chaplain Retires

*By United Press*  
MICHIGAN CITY, Ind., Nov. 28.—The Rev. Aaron Woodhead, a former Laporte county Methodist minister, has announced his resignation as chaplain at the state prison, to the prison board. He has been chaplain at the prison for thirteen years. Advanced age was given as the reason for the retirement, which will take place Jan. 1. His successor will be named by Warden Walter Daly.

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## Mental Brake

*By Times Special*

BROOK, Ind., Nov. 28.—Mrs. Josephine McCabe had put brakes on the mentality of her 10-year-old daughter Helen. When she started to school she skipped the first grade. This fall she entered school in the sixth grade. In an intelligence test she was shown capable of high school sophomore work. Teachers recommended that she be placed in the eighth grade at least, but her mother called a halt, and she was enrolled in the seventh grade.

## JAIL BREAKING PLOT REVEALED

Absence of Tin Cup Gives Clew at Logansport.

*By Times Special*

LOGANSPORT, Ind., Nov. 28.—One of seven alleged freight car bandits is in solitary confinement in the Cass county jail here and the others have suffered loss of privileges due to discovery of an attempt to escape.

Cecil Smith, alleged leader of the bandit, is in solitary confinement. The other prisoners are Harry Gleason, Bert Bole, Red Blake, Earl Smith, John Miller and Mrs. Jewell Knight. Sheriff Zerbe has forbidden them to receive packages and changed their quarters in the jail.

Following return of utensils after a meal, it was discovered that one tin cup was missing. The sheriff says he learned the cup was used as a container for a disinfectant kept in the jail and that the liquid had been ignited in an attempt to heat bars sufficiently to bend them.

## COAL PULVERIZING AND LIQUIFYING DESCRIBED

Indiana State Geologist Brings Report From Conference.

Dr. W. N. Logan, Indiana state geologist, who returned today from the International Coal conference at Pittsburgh, described how scientists have mastered the art of transporting pulverized coal in a pipe line and liquifying coal for use as a motor fuel. These achievements were described at the conference.

Dr. Logan represented the Indiana conservation commission and discussed Indiana coals and their utilization, and also the possibilities of low temperature carbonization.

A German scientist read a paper, he said, and later discussed before the meeting how he had been able to pulverize coal, then transport it through a pipe line for a short distance. Hydrogenizing or liquifying coal by adding hydrogen and obtaining oil which successfully operates a motor car, was explained in detail at the conference, and opens a vast field for new motor fuel in the opinion of the Indiana geologist.

One of the important discussions which concerns all coal fields dealt with the excess production of bituminous coal.

## BRIDGE HELD UNSAFE

Officials Say Span at Richmond Must Be Rebuilt.

*By Times Special*

COLUMBIA CITY, Ind., Nov. 28.—The honeymoon motor trip of Richard Kelly, Chicago, was interrupted here when he was arrested on a drunken driving charge. He was fined \$10 and costs, a total of \$41.55, which he paid. With his bride and her sister he resumed a trip to Pennsylvania.

Embezzlement Alleged

*By Times Special*

ANDERSON, Ind., Nov. 28.—Harry Hendricks, formerly employed by the G. Hammond Company, is under arrest charged with embezzling \$1,151 of its funds.

## SCHOOL BOARD LOSES

*By Times Special*

CRAWFORDSVILLE, Ind., Nov. 28.—A verdict for \$5,558 was awarded by Special Judge John W. Hornaday in Montgomery circuit court here to A. D. Montgomery, former Crawfordsville school superintendent, against the school board. Montgomery, employed for three years, was dismissed at the end of the second year, and the judgment represents salary he would have received had the contract been

renewed.

## INDIANAPOLIS TIMES

Low Prices—Easy Terms!

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## HEALTH BOARD BAN IN EFFECT ON OHIO BREAD

Indiana Officials Charge Loaves Sold in State Below Legal Weight.

*By Times Special*

RICHMOND, Ind., Nov. 28.—War has been declared by the Indiana state board of health against the sale in eastern Indiana of Ohio-made bread which does not conform to Hoosier regulations. F. A. Stratton, food and drug inspector for the board, announces a blockade will be placed along the state line, if necessary, to stop "bootlegging" of bread which does not meet the Indiana weight requirements.

Under the Indiana law, according to Stratton, the exact weight of a loaf of bread must be printed upon the wrapper. One loaf of the Ohio bread purchased here was marked "Sixteen ounces or more" and was found to weigh only fifteen ounces. Another loaf which was marked "Twenty ounces or more" was found to weigh twenty-one and one-fourth ounces.

The law also stipulates that the weights shall be twelve ounces, sixteen ounces, twenty-four ounces or some "multiples of one" in pounds. There are no regulations in Ohio, according to Stratton, and he states that the same difficulty was being met at the Illinois line. He said the ban will be lifted if the weight requirements are met.

"Sale in Indiana of Ohio-made bread of illegal weight under Indiana law is manifestly unfair to both bakers and consumers of the state," the inspector said. For instance the twenty-one and one-fourth-ounce loaf of Ohio bread I purchased here retails for the same price as the twenty-four-ounce loaf that Indiana bakers must sell to compete. The consumer purchasing the Ohio-made loaf gets 2.5 less ounces for his money than if he had purchased the same priced Indiana loaf."

No arrests have been made, but the inspector warned that such action will be taken if necessary.

## DIPHTHERIA DEATH RATE CUT SHARPLY

Evansville Health Officials Credit Anti-Toxin With Decrease.

*By Times Special*

SOUTH BEND, Ind., Nov. 28.—Demands for impeachment proceedings against Mayor W. R. Hinkle of South Bend grew stronger today, following his formal demand Friday for the resignation of Rudolph Ackermann, city controller.

Two weeks ago Mayor Hinkle announced he intended to oust Ackermann and immediately became the target of fellow Democrats, among them eight members of the city council, who asked for a reason, but the mayor was unable to give one which satisfied them.

In asking the resignation, Hinkle sent a letter to the council stating Ackermann prevented harmony and co-operation in the city administration.

Coupled with the Hinkle-Ackermann feud, is a report that a gambling syndicate offered \$20,000 to certain city officials in exchange for protection in operations here.

Gas Used in Suicide

*By Times Special*  
SOUTH BEND, Ind., Nov. 28.—Diphteria is retreating rapidly from the onslaughts of modern medical science, according to two Evansville physicians, Dr. L. E. Fritsch, city health board secretary, and Dr. C. Wilson, school health officer.

Although 1931 is the year in a cycle when it was calculated the disease would be most prevalent, there are now only ten cases here, against fifty at the same time last year.

Use of anti-toxin has reduced the number of cases, the physicians agree. The treatment is optional, but nevertheless, 85 per cent of Evansville school children have received it. None of the ten persons now ill were given the treatment.

The diphteria death rate for Evansville in 1930 was 3.9 per 100,000 population. This year the rate is expected to be much less. From 1890 to 1899, during which period anti-toxin was first used, the rate dropped more than two-thirds to 18.1.

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