



The Indianapolis Times

Partly cloudy tonight and Friday, somewhat colder Friday; lowest temperature tonight about 25.

HOME

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INDIANAPOLIS THURSDAY, JANUARY 7, 1932

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PRESS LIBERTY IS AT STAKE IN HEARING TODAY

Newton D. Baker to Lead
Fight Against Court Gag
on Newspaper.

REPORTERS ARE BARRED

Battle Grows Out of Ban
Imposed by Judge in
Murder Trial.

BY FOSTER EATON

United Press Staff Correspondent
FRANKFORT, Ky., Jan. 7.—A newspaper fighting for freedom of the press and a judge fighting for absolute control over his court waged battle here today in the Kentucky court of appeals.

Newton D. Baker, war-time secretary of war and potential presidential candidate, led legal counsel for the Knoxville (Tenn.) News-Sentinel, a Scripps-Howard newspaper, in its petition to set aside a dictum barring representatives of the paper from reporting deliberations of Judge Henry R. Prewitt's circuit court, at Mt. Sterling, sixty-eight miles east of here.

Prewitt banned News-Sentinel representatives from his court because of alleged "libelous, slanderous, false" editorial statements, and sent his two sons, Allen and Reid Prewitt, attorneys, to join issue with Baker.

Arguments Start Today

The paper's petition was scheduled for oral argument at 3 p.m.

The action grew out of editorial comment—trials of conspiracy to murder cases, resulting from a spectacular labor war in southeastern Kentucky coal fields last spring.

Judge Prewitt cited John T. Moutoux, staff correspondent of the News-Sentinel, for contempt of court, but dismissed the citation on Moutoux's assertion that he did not write the objectionable editorial.

Although held not in contempt, Moutoux was barred from the court, along with Jack Bryan, and other News-Sentinel reporters.

Meantime, the News-Sentinel editorially refused any retraction, declaring the case struck at the heart of the constitutional right of freedom of the press—an interpretation, incidentally, which Judge Prewitt dismissed as untenable.

Apology Is Refused

Furthermore, because of several asserted conversations Moutoux had with a member of the prosecution counsel here, he was ordered to show cause why he should not be barred as "odious" to the prosecution. He was charged with entertaining views identical with those of his editor, Benton J. Stong.

Moutoux denied making any published statements derogatory to the court. Rather, he said, he considered Judge Prewitt the fairest jurist he ever saw in a labor trial. The court ruled that he was in contempt, but re-ferred his bar of News-Sentinel reporters unless the demanded and refused apology were made.

In the appellate court action, Baker, senior member of the Cleveland law firm of Baker, Hosteller, Stidio & Patterson, specifically will represent the News-Sentinel. Judge Prewitt will be represented by his son, Allen, affiliated here with E. C. M. O'rear, former county chief justice of the Kentucky appellate court, and Attorney Reid of Montgomery county, Mt. Sterling.

Judge Not Present

Judge Prewitt did not expect to be here for the hearing because of a court docket crowded with conspiracy to murder cases which cost his county, he estimated, \$500 a day.

"I spent a lot of money to educate my sons to be lawyers," he said at Mt. Sterling, "and they might as well work for me. I have every confidence in their ability."

Judge Prewitt's major defense of his banning order, he indicated, will be simply a transcript of the record of the Moutoux and Bryan proceeding in his circuit court at Mt. Sterling, together with copies of the News-Sentinel editorial which he considers "scurrilous."

FIND OLD DEATH TRAP

Chicago Police Surround House,
Raid Machine Gun Nest.

By United Press
CHICAGO, Jan. 7.—Massed police squads closed in on a deserted machine gun nest today on the border of the gold coast, and revealed what they said was a death trap set for Ted Newberry, gang leader.

More than 100 police surrounded the spot where the assassin hide-out was reported on the second floor of a rooming house. The raid was ordered after a tip by a neighbor whose apartment looked down on windows of the death room.

Police found the nest deserted but said marks of a machine gun tripod were found on a table set before a window overlooking the street. Hundreds of cigarette butts, evidence of a long vigil, littered the room.

Hourly Temperatures

6 a.m. 28 10 a.m. 36
7 a.m. 28 11 a.m. 38
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BANDIT WHO SHOT, ROBBED COLLECTOR IS GIVEN 20 YEARS

'Be a Good Boy, Mind Your Mother,' Is
Farewell of Former Hook Drug
Manager to Small Son.

"MIND your mother, Teddy, my boy, do what is right, and always be on the square!"

This was the advice a convicted bandit gave his 11-year-old son today in criminal court as he was hurried off to prison.

The bandit was John Velonis, 28, sentenced to twenty years in the Indiana reformatory for participating in the robbery and shooting of J. E. Free, Hook Drug Company collector, a year ago.

Velonis, who came to this country as an immigrant boy from Greece, and, through his own diligence, became general manager of Hook Drug Company's soda fountain, pleaded guilty to robbery.

After he was sentenced, he carressed his son, and warned:

"Bear this in mind, Sonny Boy, don't ever do anything wrong."

A minister, his attorneys and friends asked Criminal Judge Frank P. Baker to show mercy—but the law was mandatory that the sentence be imposed.

It was because he wanted to "clear his own conscience, and take his punishment" that Velonis rapped on the door of Detective Chief Fred Simon's home and surrendered, Nov. 28.

Today, in court, he related his wanderings and hiding from the police, following the robbery.

"I couldn't live, I couldn't stand it; I had to come back to clear my conscience, and see my family," he told the judge.

Velonis told the court how he started working for \$12 a week, rose to \$3,000 a year job—then made his total retirement.

It was supposed, following the crime, that Velonis had escaped to Greece, but today he mentioned Dayton, Columbus, Wheeling, W. Va., New York City, Atlanta, and Buffalo as the cities he and John Patrick had visited in their chase from justice.

Velonis was caught and sentenced to serve twenty years, some months ago. Velonis, while in New Orleans, read about this and came home to surrender.

The two pleaded guilty to slugging and shooting Free, Nov. 29, 1930, and robbing him of \$3,000.

JAPAN'S MOVES STIR WAR FEAR

Great Powers Confer on
Course in Far East.

By United Press

WASHINGTON, Jan. 7.—An undercurrent of tension pervaded official Washington today as the state department continued conversations with Britain, France and Italy regarding concerted action to bring peace in the Far East.

Augmenting the serious tone about the state department was the feeling that the last word had not been said in the exchange over the beating administered by Japanese soldiers to an American consul in Manchuria.

While Secretary Stimson said Wednesday he considered Japan's official "regrets" as tantamount to an apology, he indicated the case was not closed. He still is waiting for a detailed report from Mukden.

A statement of American policy on the situation is expected late today from the state department.

Secretary Stimson, after ten days of silence, called a special meeting of American press correspondents for 4 p.m. today. He will discuss the Far Eastern situation. It was indicated he would have a public statement at that time.

DISTRESS IS FOUND ACUTE IN INDIANA

Reports from relief chairmen in the Indiana mining districts, received today by Dr. John H. Hewitt, state relief director, substantiated charges of dire want, and inability of local authorities to cope with it, as pictured in Washington by John L. Lewis, United Mine Workers president.

Lewis appeared before a United States senate committee to urge national aid. He said that 60,000 women and children are suffering in Indiana, and that despite reports of Governor Harry G. Leslie the local and state aid is not caring for them.

Lewis called on Walter Gifford, national relief chairman, with

MURRAY TO BE HERE

"Alfalfa Bill" Will Talk at
Rotary Meeting.

By Times Special

OKLAHOMA CITY, Jan. 7.—Governor William H. (Alfalfa Bill) Murray will speak in Indianapolis Feb. 23, before the Indiana district conference of Rotary International, he announced today.

His subject will be "The World's Bankruptcy, Its Cause and Cure," Murray stated in a telegram to Dr. John H. Beeson of Crawfordsville, district Rotary governor.

SHIP PRINCE'S CLOTHES

Spanish Republic Refuses Property
to King and Queen.

By United Press

PARIS, Jan. 7.—The Spanish Republic government has shipped several cases of clothing, household silver and other private possessions to the prince of Asturia, but have not returned any of their personal property to former King Alfonso or Queen Victoria.

SLAYS CHILDREN, SELF

Missouri Farmer Beats Five
Death, Suicides With Shotgun.

By United Press

CAPE GIRARDEAU, Mo., Jan. 7.—Oliver Davenport, a farmer faced with loss of mortgaged farm, beat five of his children to death with a hammer today, seriously injured his wife and another child, then committed suicide with a shotgun.

Heires Crimsons as Story
Unfolds at Death Trial.

By United Press

FLINT, Mich., Jan. 7.—The love life of Miss Helen Joy Morgan, who left the home of her wealthy mother to live in the humble cottage of her garage mechanic sweetheart, was unfolded from the witness stand today in the trial of Miss Morgan, charged with murdering her sweetheart, Leslie Castell. Relatives of the slain man, who was shot to death in quiet Glenwood cemetery last April, where Miss Morgan had driven him in her automobile, told the story.

As witness after witness took the stand, Miss Morgan, crimson with embarrassment, looked away. She repeatedly sought comfort from her mother, with whom she became reconciled after the shooting.

Hale Questions Him

"I have submitted this bill to the department," Chairman "Sole of the state naval affairs committee told Adams, "and I suppose you forward it to the budget bureau. Have you had a report from the budget office?"

"I've had no report," Adams replied, adding under direct questioning that he could not endorse the measure.

Hale inserted in the record today a comparative table which, he said, showed the United States has many more ships "over age" than other

sunshine today sent the mercury upward after it had dropped to 28 in a cold snap which is scheduled to remain at least thirty-six hours.

Temperatures will slide to near 25 again tonight and, with partly cloudy weather slated for Friday, the day probably will be colder, J. H. Armstrong, weather bureau head, predicted.

Drop in temperature placed mercury readings at seasonal marks.

BLIZZARD RAGES OUT OF
WEST, OVER GREAT LAKES

By United Press

CHICAGO, Jan. 7.—Strengthening gales swept a blizzard northeastward today as storms, flood and fog left a trail of disasters over the nation.

Weather observers believed eastern states would escape the brunt of the storm, which was driving out over the Great Lakes today in the direction of Canada.

Southern Minnesota towns reported more snow than they had received all last winter. North and South Dakota reported snow and subzero temperatures at several points.

High drifts blocked roads in southwestern states. The blizzard reached as far south as Amarillo, Tex., where a foot of snow was reported.

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TARIFF BILL IS DENOUNCED AT HOUSE HEARING

Measure Strongly Opposed
by Treasury, Mills
Tells Committee.

CALLS IT 'INCONSISTENT'

Five-Year-Old Warning by
Kellogg Revealed at
Foreign Loan Quiz.

By United Press

WASHINGTON, Jan. 7.—Attack on the Democratic tariff revision bill was launched before the houseways and means committee today with Ogden Mills, undersecretary of the treasury, voicing the administration's opposition to the projected measure.

Mills admitted he represented the White House "in a general way." Committee Chairman Collier had called for other officials to attend the hearing, but neither Secretary of State Stimson nor Secretary of Commerce Lamont appeared.

Mills referred to the section of the bill which would strip the President of his authority to raise or lower rates 50 per cent on recommendation of the tariff commission.

The treasury department does not approve of the bill and sees no occasion for it," Mills told the committee. "It is inconsistent because it takes away from the President the power to adjust rates and then gives him power to negotiate with foreign countries for rate adjustments."

Mills referred to the section of the bill which would strip the President of his authority to raise or lower rates 50 per cent on recommendation of the tariff commission.

"It is the intention to change rates, it is the function of congress to do it," Mills asserted. He also objected to the provision authorizing the President to negotiate reciprocal tariff agreements with other nations, a section which Democratic leaders have decided to eliminate.

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