



The Indianapolis Times

Increasing cloudiness, becoming unsettled, probably followed by rain late tonight or Wednesday; somewhat warmer, lowest temperature tonight about 35.

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HOME

STEVE LOSES HIGH COURT APPEAL

DAWES TAKES REINS OF U. S. BUILDING FUND

Former Envoy to Britain Is Choice to Direct Reconstruction.

STIMSON TO GENEVA

Secretary of State Named to Head U. S. Group at Arms Parley.

By United Press
WASHINGTON, Jan. 19.—President Hoover today announced the partial personnel of his new two billion-dollar reconstruction corporation.

Charles G. Dawes, he revealed, will retire as head of the American delegation to the Geneva arms conference and become head of the corporation.

Secretary of State Stimson will succeed Dawes as head of the arms delegation.

Eugene Meyer, of the the reserve board will become chairman of the directors of the finance corporation.

Mr. Hoover said that the names of other directors of the finance corporation would be announced after conferences which are to follow final passage of the finance corporation bill in congress.

Some Democrats

The President said he wanted to maintain the nonpartisan complexion of the corporation, intimating that some of those named to the board would be Democrats.

Stimson will not leave the delegation for Geneva Wednesday, it was brought out. Hugh Gibson, United States ambassador to Belgium and a member of the delegation, will fill Stimson's place at Geneva for the time being.

The president, in making the announcement, said:

"I have requested General Dawes to accept the position of president of the new reconstruction corporation. It is gratifying to state that he has accepted. Eugene Meyer, governor of the federal reserve board, also will be chairman of the board of reconstruction corporation.

Of Both Parties

"In order that we may preserve the nonpartisan character of the institution, the other directors will be chosen after consultation with leaders of both political parties upon completion of the legislation.

"I announce General Dawes' name at this time because of the required change in plans as to the chairmanship of the delegation to the arms conference. Otherwise, General Dawes would be leaving for Europe Wednesday.

"In view of the change in General Dawes' plans, Secretary Stimson has undertaken the chairmanship of the delegates to the arms conference at Geneva. The secretary will not attend the opening meeting, but will take part in the work of the commission after the preliminaries have been disposed of. Ambassador Gibson will be acting chairman of the delegation."

Circulated Before

Reports that Dawes would head the corporation were circulated at the time of his announcement that he would retire as ambassador to Britain and also would leave the arms delegation after the work was organized. However, the reports failed of confirmation and it was understood Mr. Hoover would look elsewhere for a head of the reconstruction corporation.

This morning, however, the reports of Dawes' selection were revised and at noon his appointment was announced.

Dawes' appointment was looked upon as substantiation of denials both at the White House and by Dawes that Dawes' dramatic announcement of his retirement from the realms of diplomacy indicated a disagreement between him and Mr. Hoover which might lead Dawes into the presidential field.

The \$2,000,000 reconstruction bill was sent to conference today for an adjustment of differences between the forms of legislation for the huge credit project as adopted in the house and senate.

The house formally disagreed to senate amendments. The senate had acted similarly and the way was cleared for a conference committee which will report back to both houses for final approval. The measures then will go to the White House for President Hoover's signature.

MAIN BURSTS; 1 KILLED

Second Worker Saved From Death
Excavation Mishap.

By United Press
NEW YORK, Jan. 19.—One man was drowned and another severely injured today when a large water main burst in Queens and flooded an excavation in which they were working.

The excavation was two feet wide, eight feet long and eight feet deep. They were making repairs to the water main when it burst under high pressure. The rush of water stunned them both.

A passerby saved one of the men at the risk of his own life.

Dragon's Victim



SEEK JURY TO TRY ALLEGED TRUNK KILLER

State to Ask Noose Death for Mrs. Ruth Judd, Ex-Indiana Girl.

ALIENISTS TO TESTIFY

Accused Woman Is Believed Almost Sure to Plead Insanity.

BY GEORGE H. BEALE
United Press Staff Correspondent

PHOENIX, Ariz., Jan. 19.—Trial of Arizona's most widely publicized murder case opened here today with Winnie Ruth Judd, attractive daughter of a retired minister, fighting the hanging penalty the state asks for the deaths of two of her former girl friends.

In the small courtroom of Superior Judge Frank C. Speakman, state attorneys and Mrs. Judd's expensive legal staff were ready to select a jury to decide whether she will be punished for the shooting of Agnes Anne Leroi, nurse, who came here from Alaska in search of health.

Mrs. Judd also is accused of the murder of Miss Hedvig Samuels, but will not be tried on that count unless the state fails to convict on the first charge. The Leroi case was settled because prosecutors believed it the stronger.

Crowd Throngs Courtroom

Judge Speakman was forced to postpone opening of the trial for a time as deputies were having trouble handling the crowd and seating the witnesses.

Mrs. Judd came into the court room shortly before 10, walking between two deputies. She was wearing a black crepe dress that accentuated the lack of color in her face.

She seemed to have lost considerable weight since she made her last court appearance. There were large hollows under her eyes. She appeared calm.

The crowd in the corridor swarmed in Mrs. Judd's wake and any order deputies had established was lost. There was hysterical laughter from women and several men were escorted forcibly from the court room.

From the questioning of talesmen, it was established at the outset that the state would ask the supreme penalty, death by hanging, and that the defense intended to use both self-defense and insanity in the attempt to save Mrs. Judd.

Plans Kept Secret

Both sides were secretive about their plans, giving rise to dozens of varying expansive rumors.

A most persistent report was that newspaper articles in which Mrs. Judd, under her own name, admitted killing both girls, but claimed self-defense, failed to cover the whole story of the shooting.

The theory was that Mrs. Judd had an accomplice or accomplices, although she said not in her articles.

Both sides claimed surprise witness, but declined to name them.

Because of the many alienists who examined Mrs. Judd, it was presumed she would plead not guilty by reason of insanity and also claim self-defense, a procedure permitted in Arizona.

Defense alienists have said the manner in which the victims were killed and the attempt made to dispose of their bodies showed dementia.

Report "Fine Treatment"

The victims' bodies were placed in trunks and taken to Los Angeles as luggage. The deaths were discovered by a suspicious baggage master, who noted an offensive odor from the baggage, and refused to permit Mrs. Judd to claim it, without first permitting an inspection.

He did not detain her when she said she did not have the key to the trunks. After the baggage was opened, a bill of lading was found.

When Mrs. Judd surrendered to authorities four days later, she told statements to be used under her signature, saying she shot in self-defense when Mrs. Samuelson rushed at her with a revolver during a quarrel. Mrs. Leroi, according to this story, was shot when she continued the attempt to kill Mrs. Judd.

State's attorneys contend that even if Mrs. Judd shot Mrs. Samuelson in self defense, there is no evidence Mrs. Leroi was slain for any reason other than to eliminate her as a witness.

PASTOR SPONSORS BILL FOR DRY LAW REPEAL

Kentucky Minister Says Passage Will Save State Millions.

By United Press

FRANKFORT, Ky., Jan. 19.—The Kentucky legislature had before it today a bill to repeal the state's prohibition act, sponsored by a Protestant minister who is a member of the lower house.

The Rev. C. P. McCaw, representative from Paducah, said his measure repealing the drastic "little Volstead" act of Kentucky, passed in 1920, was designed primarily to give financial aid to counties, "where jails are filled with prohibition law violators."

The state courts are receiving the brunt of enforcement now, and we ought to pass the burden back to the federal government," the Rev. McCaw said.

FREE TRIP TO CAPITAL FIRST PRIZE IN THE TIMES MODEL HOME CONTEST

A TRIP to Washington, D. C., with expenses paid, will be awarded to the high school youth winning first place in the fifth annual miniature model house contest, conducted by The Times.

Already a large number of Indianapolis high school pupils have started work on entries for the contest, being conducted in connection with the eleventh an-

ual Realtors Home Complete Exposition, April 2 to 10.

THE competition will be judged on the basis of imagination and skill of competitors, architectural merit of design, ingenuity shown by the pupils, fitness of the design as a whole to meet spirit and needs of the problem and practicality of construction.

Model houses must be con-

structed on a scale in which one-fourth inch equals one foot.

Each house must contain a living room, dining room, kitchen, breakfast room, three bedrooms, and two baths. This arrangement was decided on by the committee in charge because of the present demand for real houses of this type.

Contestants may use their own imagination in arranging the

house. It may be either one or two stories high.

IF two stories, both bathrooms may be upstairs, with a lavatory on the first floor, or the bathrooms may be divided between the first and second floors.

Each model must have a two-car garage, which either may be attached to the house, or separate.

The houses must be placed on

bases 18 by 36 inches, made of plywood or insulating board, to prevent warping.

The bases will represent the lots on which the houses a rebuilt. Landscaping of the lots will be an important phase of the contest.

Manual training instructors in the various high schools have promised to co-operate with their pupils in the contest.

How to Provide Proper Food and Care at a Minimum Cost

Six timely daily articles by AIDA DE ACOSTA BRECKINRIDGE of the American Child Health Association.

DR. MORRIS FISHBEIN, editor of the Journal of the American Medical Association.

OLIVE ROBERTS BARTON, noted authority on child care.

SISTER MARY, expert on dietetics.

Starting Thursday in The Times



EX-KLAN CHIEF TO STAY IN PRISON REST OF LIFE FOR CITY GIRL'S MURDER

Justices Vote 3 to 2 in Affirming Lower Bench Sentence Given One-Time Indiana Political Boss.

By STEPHENSON, History of Page 18
David C. Stephenson, former Indiana Klan dragon, must spend the remainder of his life in the Indiana state prison for the murder of Madge Oberholtzer in 1925, the state supreme court decided today in a three to two decision affirming his conviction in the Hamilton circuit court Nov. 14, 1925.

Stephenson's appeal had been pending in the high court more than six years.

The affirmation of the lower court's decision closes the last avenue by which Stephenson may gain his freedom, except one, a petition for a writ of error coram nobis, which is pending still before the supreme court.

The action of the court affirming the life sentence was announced in a forty-two-page opinion marked only "Per Curiam."

Judge Clarence R. Martin, Indianapolis, Republican, and Walter Treasurer, Bloomington, Democrat, did not concur in the action of the court, and filed separate opinions, concurring and dissenting in parts of the opinions and dissenting in the supreme court.

"It appears very clearly from her dying declaration," said the judge, "that she committed suicide because of shame, humiliation or remorse." She expressly stated that she decided to take her life in order to save her mother from disgrace. She also said she wanted to kill herself in Stephenson's presence.

Two Favored New Trial

The two judges held that a new trial should be granted Stephenson.

Judges who voted to affirm the judgment, as announced in the anonymous opinion were Curtis W. Roll, Kokomo, Democrat; David A. Myers, Greensburg, Republican, and Julius C. Travis, Laporte, Republican.

The murder charge upon which the life sentence was imposed upon Stephenson by the Hamilton circuit court on Nov. 16, 1925, grew out of a trip taken by Stephenson and Miss Oberholtzer from Indianapolis to Hammond and return on March 15-17, 1925.

Stephenson on the trip to Hammond on a night train is alleged to have committed a criminal assault upon the girl.

The next day while in a Hammond hotel and during the absence of Stephenson, she swallowed bichloride of mercury tablets, which she purchased at a drug store.

Miss Oberholtzer died at her home on April 14, 1925.

Finds Fault With Verdict

The Martin opinion also points out that after Miss Oberholtzer went alone into two stores in Hammond, she returned to Stephenson's room at the hotel and took the poison with Stephenson's knowledge, Judge Martin said:

"She was not under any restraint or compulsion by Stephenson which would cause her to act to be considered in law as Stephenson's act.

"Where, upon deliberation, one commits suicide because of shame, humiliation or remorse, the one who caused such mental state—although he may be morally responsible for the death in the sight of God—not guilty in some way under the law, unless he in some way procured, advised, compelled, assisted or exercised control over the person performing the act."

Stephenson's Defense

Stephenson and his bodyguards, Earl Kjenck and Earl Gentry, were shot to death, "Red" Bates of Kentwood, was wounded critically and Kinchen Bridges received a flesh wound in what observers said was an aftermath of a political argument.

Officers said each man held a gun and fired until he fell. Dunnington's body was riddled by bullets and Bates was shot several times.

In the balloting today, Democrats will nominate a successor to Senator-elect Huey P. Long as well as an entire slate of state officers. Long's political strength is at stake with his support behind the ticket headed by O. K. Allen for Governor.

Then opened Stephenson's battle for freedom in which intervention of the federal courts were sought, and writs of habeas corpus asked.

There now is pending the petition for a writ of error coram nobis, in which the dragon alleges that he was intimidated from taking the stand in his own behalf.

Responsibility Upheld

The majority of the court in its "per curiam" opinion rejected Stephenson's contention that Miss Oberholtzer's independent act of suicide supervened between his attack—which resulted in a wound on the breast that completely healed—and her death, by holding that the jury had a right to consider him responsible for his act in taking poison.

The opinion held that the allegation of the indictment that Miss Oberholtzer was "disturbed with pain and shame" when she took bichloride of mercury was sufficient to charge that she was irresponsible when she took the poison at that time, and that the evidence was sufficient to show that "at all times from the time she was entrapped by Stephenson at his home till she was returned to her home two days later she was in the custody and absolute control" of the dragon.

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He considers and rejects the theory that the taking of the poison by Miss Oberholtzer was a natural consequence of Stephenson's assault on her home.

Judge Treanor in his separate opinion states that he believes count one of the indictment can be considered sufficient to charge that Miss Oberholtzer "was in a state of mental irresponsibility when she procured and took the poison," but says:

"I do not think that the trial was conducted on the theory that these words, 'disturbed with pain and shame,' imported the fact of mental responsibility."</p