

# MARTINSVILLE RATE CASE TO HIGHEST COURT

Wabash Valley Electric Files Appeal From Decision Here.

Action of the Wabash Valley Electric Company in appealing the Martinsville rate case to the United States supreme court will lead to a decision settling definitely the question of whether a utility company serving several communities with a connected system should be considered as a whole for rate making purposes or if its property in each community should be the basis for rates in that community.

The appeal became a reality on Tuesday when the Wabash company filed an assignment of errors in federal court here. The court on Feb. 16 dissolved an injunction which had barred the Indiana public service commission from enforcing lower electric rates in Martinsville.

## Refunds Ordered

It was ordered that the company refund to patrons the excess collected over the lower rates while the case was in federal court.

However, Judge Robert C. Baltzell ruled Tuesday that the old rates will remain in effect until the appeal is disposed of, but required the company to post \$60,000 bond to insure a refund in case it loses in the high court.

In the assignment of errors, the company maintains that the court erred in holding the Martinsville property a segregated unit for rate-making purposes. It is asserted the court did not determine properly the cost of electricity outside Martinsville and its cost delivered to the substitution in that city.

Further, the company contends, the value set on the utility property both outside and in Martinsville was less than the true fair value. The court found the value of the Martinsville equipment to be \$101,191, while the company asserts it should have been \$241,176.

## Charge Unfair Value

Another error alleged is the placing by the court of an unfair value on all the company's property. The utility declares the value to be \$5,336,091 while the court set the figure at \$4,594,867.

Order of the commission in the case was issued Jan. 26, 1932. It has been estimated that the lower rates would have effected an annual saving of \$25,000 for Martinsville patrons.

Injunction was issued at the company's request against enforcement of the new rates and the case was heard by Albert Ward, master in chancery. His recommendation that the injunction be dismissed was accepted by three judges sitting en banc—Baltzell, Will J. Sparks of the United States circuit court of appeals, Chicago, and Thomas W. Slick of the northern Indiana federal court.

## INVESTIGATES DEATH OF WOMAN TUESDAY

Coroner Orders Autopsy on Body of Drug Store Cashier.

Investigation of circumstances of the death Tuesday morning of Mrs. Will Black, 47, living alone in an apartment at Illinois street and Maple road, was launched today by Coroner William E. Arbuckle.

Mrs. Black, relative of K. C. Brock, president of the Haag Drug Company, was found dead in the apartment after telling persons Sunday not to awake her Monday morning because she was feeling ill. She was employed as cashier in one of the Haag stores.

Autopsy was to be performed today at city hospital by Dr. E. R. Wilson, deputy coroner.

## STARTS \$10,000 SUIT

Widow Asks Damages for Death of Mate Last July.

Damages suit for \$10,000 was on file in circuit court today against George C. Forrey Jr., receiver of the Indianapolis Street Railway Company, in connection with the death last July of W. Smith Turpin, Indianapolis glove company employee.

The suit was filed by Mr. Turpin's widow, charging that Turpin, attempting to erect an aerial on the glove company's branch building, was killed when the wire came in contact with a 15,000-volt high tension line of the street railway company. Mrs. Turpin's suit alleges the high tension line was not insulated.

## Just Didn't Work Out Right

By United Press

DETROIT, May 11.—Just two weeks after he married Miss Elsie Schmitt, he explained in getting a divorce decree. Her husband, Walter, expected her to work and support him, and her employers told her they weren't keeping married women on the pay roll.

## Now Comes the New Tarzan Story in Pictures

TARZAN AND THE ANT MEN  
By EDGAR RICE BURROUGHS

Tarzan, flying over the boundless forests of inner Africa in his airplane, crashes to earth in an unexplored spot of the great continent. He finds himself the captive of a great she-thing, a woman-warrior of a tribe of giant Amazons. And then the great females are attacked by a horde of tiny men, fierce but diminutive warriors mounted on swift antelopes.

Through strange and thrilling adventures moves the mighty figure of Tarzan of the Ape, conquering all obstacles in his path to a successful and exciting conclusion. "Tarzan and the Ant Men" is half-raising in its action, and all admirers of Tarzan will revel in the ape-man's unique adventures.

Starting Monday, May 16, in The Times

# JERRY M'AULEY BECOMES SAVER OF SOULS

'Rat of New York Waterfront' Turns From Evil to Rescue His Fellows

By JOSEPH MITCHELL

JERRY M'AULEY, who was known in the state beer emporiums and cellar dives of lower Manhattan in 1927 as "the toughest sporting man on the Fourth Ward waterfront," sat on his cot in a cell in Sing Sing and cried. He had been in prison for five years, repaying society for his high-handed activities as a wharf robber and sloop pirate. He had passed the major part of this time devising ingenious, but futile, plans for a wholesale jail break.

Now, tearful and penitent, he gazed through the bars into the violet Sing Sing twilight.

"I'm going to cut out these jail-house plans," he said to himself, drying his eyes with a brown prison handkerchief. "I am going to stop stirring up trouble and turn over a new leaf."

McAuley just had been escorted, weeping, to his cell by the chaplain. The chaplain had taken him out to the prison office to speak to a visitor, Orville "Awful" Gardner, a former waterfront confederate of Jerry's who had reformed and transformed himself into an evangelist.

When Gardner, looking through the bars at his friend, sang a hymn, "Throw Out the Lifeline," Jerry had sobbed.

NOW, McAuley felt better. He looked under the bed and picked up a dusty book. It was the Bible the chaplain had given him five years ago. The convict dusted it off and began to read.

It was a bright moonlight night, and Jerry sat beneath his tiny, barred window and read all night. Once the guard, tramping up the corridor, saw him and called out a startled warning.

Jerry spoke to the man gently and explained that he was reading the Bible and the guard, bewildered, shook his head and walked on up the corridor.

Jerry rapidly made himself into what is known as a model prisoner. He pleaded with newcomers to take their imprisonment in good grace. In sturdy, full-blooded water front language, he dictated tracts to the chaplain. They were published widely.

On March 8, 1864, seven long years after he had been dispatched to Sing Sing to serve a fifteen-year sentence for pilfering from wharfs, he was pardoned. The reformed Jerry, a gaunt and contrite Irishman, in a rough tweed suit, returned to the hurly-burly of Water street.

He told about his return, by no means triumphant, in one of the most eloquent tracts of the period, "Transformed; or the History of a River Thief."

WHEN I returned to Manhattan," he wrote, "I kept steadily away from my old con-



A service at Jerry McAuley's mission.

federates. Unfortunately, a gentleman directed me to a larger beer saloon to board. Lager beer had come up since I went to prison and I did not know what it was.

"They told me it was a harmless drink, wholesome and good, and simple as root beer. I drank it and then began my downfall. My head got confused. The old appetite was awakened."

"From that time I drank it every day and it was not long before I returned to stronger fluids."

I obtained work in a large hat shop. I encouraged the workmen to strike and was dismissed. Then, it being Civil war time, I went into the bounty business.

"I would pick up men wherever I could find them, get them half drunk and persuade them to enlist. They received bounty and I forced them to give me half the amount. I made a lot of money and I spent it freely."

"I became a strutting sporting man, followed the horse races, and my downward course was quickened."

I got in with a man who long since has died of the delirium tremens. I have had the horrors many times myself. We would go boating on the East river. We would buy stolen goods from sailors, compel them to enlist on fear of being arrested, and take the bounty. We might have grown rich if I had saved what we made."

AFTER the war we went into the booting business exclusively, buying stolen and smuggled merchandise from sailors. I gave counterfeit money for the goods until I became well-known for this, and then I had to give it up, for no one would

steal for me when they found I gave them nothing for it.

"Then I did the stealing myself. How many narrow escapes from death I had while engaged in this vile trade!"

When the bullets from the pistols of irate captains and dock watchmen sped by his head, Jerry became nostalgic for the dusty cell in Sing Sing. He remembered the peaceful nights when he was free to write tracts.

Finally, one night when he was trying to steal a rope fender valued at \$1 from a ship anchored in a Brooklyn slip, Jerry fell into the water and nearly drowned. When he came up for the third time he cried out, "If I am saved, I really will turn over a new leaf."

Just then his clutching fingers came in contact with a floating timber. He caught hold of it and was saved.

Next morning he applied to all the chandlers, sail tailors and fish and oyster merchants on South street for a job, saying, "I will turn my hand to any honest occupation."

His record was known everywhere. He was "The Terrible McAuley," "Jerry the Rat," or "Jerry, the Fourth Ward Terror."

Finally, however, his persuasive and promise-making Irish tongue got him a job as a night watchman for a sewing machine factory on lower Broadway.

## U. S. EMPLOYEES RAP PAY PLEA

Extortion of \$5,000 Is Claimed by Pretty Divorcee in Triangle.

By United Press

WHEATON, Ill., May 11.—First came the flowers that bloom in the spring, tra-la, then there were sugar tarts, then a whole roast duck—and then, blushed motorman Albert Gregory, romance blossomed in a "sort of a cow pasture" on a 50-minute stopover between trains.

Middle-aged Gregory's story was told from the witness stand, his wife, a co-defendant in Mrs. Jessie Erickson's suit for recovery of \$5,000 and \$50,000 damages, looked on.

Mrs. Erickson, a pretty divorcee, sued the couple, charging Mrs. Gregory forced her to pay the \$5,000, on threats of "notoriety" over disclosure of what the divorce claims was just a mutual interest with Gregory in flowers and cooking.

Mrs. Gregory says it was justified heartbalm.

"We exchanged garden plants," Gregory, motorman on a suburban train, said. "Then she started to bring me pastry on her weekly trips to Chicago."

"The day after Thanksgiving she gave me a whole roast duck, and the conductor and I ate it."

"One spring day in 1925 she rode to the end of the line with me. We had a fifty-minute stopover. So we went down by the Great Western tracks in a sort of a cow pasture."

That, Gregory said, was just the beginning of the pastoral love lyric.

Finally, the motorman disclosed, his wife discovered he had gone to Mrs. Erickson's home instead of lodge meeting.

The \$5,000, which Mrs. Erickson raised to pay Mrs. Gregory by mortgaging her home, went to pay off a \$4,500 mortgage on the Gregory home, the motorman's wife, who followed her husband as a witness, revealed.

Mrs. Gregory said she offered to get a divorce, but that after payment of the \$5,000 she took back her errant husband.

## FORMER GRID STAR ATTEMPTS SUICIDE

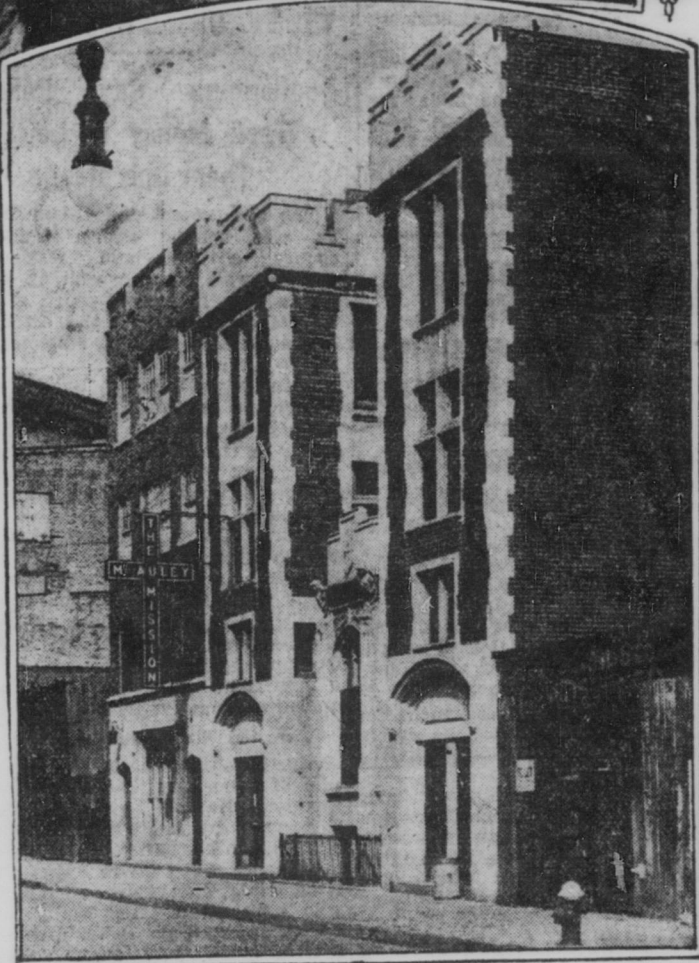
Harry R. Jackson Charged Wife Wrecked His Life.

By United Press

BALTIMORE, May 11.—After writing a letter in which he charged his wife with having wrecked his life, Harry R. Jackson, former Missouri university football star, attempted suicide here late Tuesday.

He is in a serious condition from an overdose of a sleeping potion.

Another note requested news of his death be sent to his parents, Mr. and Mrs. C. H. Jackson of St. Joseph, Mo., and his wife, Mrs. Katherine P. Jackson, at the John Wanamaker Buget home, New York City.



The Jerry McAuley mission at 316 Water street, and above, evangelist whose name it bears.

crowd he had attracted and offered him funds enough to establish a mission in Water street, "the devil's backyard."

Jerry leased a vacant dance hall at 316 Water street. He scrubbed the floors as if to remove the marks made by the dancing feet of seamen and port ladies. Then he placed a sign over the door—"Helping Hand for Men."

Soon Jerry, who once had been recognized as the most able manipulator of profanity on the beach, began to exhort in earnest. He filled his pews with the inhabitants of the Bowery, the rum buzzards and dock troughs. The gospel according to McAuley was colorful, forgiving, and vehement. He punctuated his speeches with nautical hymns, "Wrecked in

## Halt Spicy Trial; Decree Granted Helene Costello

Cross-Complaint Charging Cruelty Serves to Put End to Sensational Case.

By United Press

LOS ANGELES, May 11.—Helene Costello, actress, today had a divorce from Lowell Sherman, on a cross-complaint charging cruelty.

Sensational testimony which began in trial of Sherman's original suit and which threatened to send the Sherman family skeletons chattering through Hollywood, was cut short when Miss Costello was permitted to file her cross-complaint. She spent but five minutes on the witness stand and was given her decree.

"You charge your husband with cruelty in your cross-complaint?" attorney Milton M. Cohen asked her.

"Mr. Sherman continually referred to me as his mental inferior, and said constantly that I was not a fit companion for one of his intellectual attainments," Miss Costello replied.

"He also said that he made a great mistake in marrying me. He nagged at me constantly on my housekeeping."

"He found fault with the amount of money I spent, and charged that I was extravagant, although I was receiving as much or more money salary than he."

"His continuous conduct of nagging and fault finding finally forced me to leave our home. I had a nervous breakdown and was forced to take a long trip for my health."

Judge Thomas Ambrose then granted a divorce on the cross-complaint and denied Sherman his decree.

Under the terms of a property settlement, Miss Costello was unofficially reported to be receiving \$32,000.

## SELECTS JUNE 20 FOR WORLEY CASE TRIAL

Baltzell Makes Change in Date at Lawyers' Conference.

The income tax evasion trial of Claude M. Worley, former Indianapolis police chief, will be held in federal court, June 20, it has been announced by Judge Robert C. Baltzell.

Worley pleaded not guilty when arraigned last Saturday. Baltzell set the date for May 19, but changed it late Tuesday after a conference with George R. Jeffery, federal district attorney, and Worley's attorneys.

Defense attorneys asked additional time in which to prepare their case. Worley is charged with having failed to pay \$4,037.72 tax on an income of \$86,555.80 from 1927 to 1930.

## ACUTE INDIGESTION

Sure Relief BELL-ANS FOR INDIGESTION

Port," and "Pull for the Shore." Hairy-wristed, scar-faced, plugging came to the mission to heckle and scoff, but soon they began to cry and confess and hit the sawdust trail. Jerry became the most relentless reformer of the period.

## I WAS the wickedest man who

of his lower-depths sermons. "I was born in dear old Ireland. My father was a counterfeiter. I lived with my grandmother, the dear old lady. When she knelt on the floor to pray I threw things at her head and she would get up and curse."

Then I came to New York and hit Water street like a well-aimed bomb.

"I was a loafer. Never knew what it was to be happy. Head on me like a mop, big scar across my nose. If I had a coat, it was one of the kind with the cuffs up here to the elbows! Split open in the back! Dye see? Couldn't find a drunker rowdy in the lowest cellar of the waterfront than J. McAuley Esq. No sir! Now look at me, ladies and gents. Look at my coat! It is a good coat!"

Jerry would leave his platform and grab hecklers by the coat collar and drag them from the pews. "I can't afford to have no fighting in front of my mission," he would shout, thumping a trouble-maker with his blunt, expert knuckles.

FOR a time he left Water street and established in Satan's circus, of West Thirty-second street, a mission called the Cremona. It was named for a fashionable dive next door.

Sometimes tipsy patrons of the dive wandered into the mission by mistake, and Jerry locked the doors and gave them a savage talking to before he let them out.

The saintly, booze-fighting, good-natured Irishman's first mission, rebuilt twice, still stands at 316 Water street. Last year, in memory of Jerry, it gave away 67,756 meals to jobless men.

It is said that the ghosts of 30,000 reformed drunkards hover about the pews of the mission.

Jerry was a good man. He fed many a penniless seaman, peace to his memory. He kept many a broken-hearted woman from jumping from suicide wall at the Battery.

He is dust now. He died in summer of 1928, and he was given one of the most impressive funerals of the time.

Behind his hearse, bearing flowers, marched 2,000 reclaimed bums. They wept all day. The wake lasted two nights.

And on the afternoon of the funeral, an aged chaplain placed a wreath of roses on a cot in a cell in Sing Sing.

## ORGANIZE FARM GROUP

Agricultural Committee to Work With County Agent.

A permanent agricultural committee to work with Horace E. Abbott, Marion county agricultural agent, is being organized and will meet the last Friday of each month, it has been announced. Steps for the organization of the committee were taken Tuesday at a meeting at the Chamber of Commerce.

## PUSH WIDENING PLANS

East New York Street Project to Be Finished This Year.

Completion of the East New York street widening and resurfacing project from State avenue to the downtown district is planned this year, according to Henry B. Steeg, city plan commission secretary.

Steeg outlined the project at a meeting of the Sherman-Emerson Civic League Tuesday night at school No. 63.

The street has been improved from State avenue east to Emerson avenue. The widened street will afford a direct route downtown and relieve Washington street of traffic congestion, Steeg said.

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Round Trip Tickets good going after 3:00 a.m., Saturday, May 28th, and all trains of Sunday, May 29th, and until 1:00 p.m. Monday, May 30th—Return Limit, Tuesday, May 31st.

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