

PRISONER NOT MAN ARRESTED, OFFICER INSISTS

Court Mystified as Cop Says Defendant Was 'Bigger Fellow.'

Patrolman Emmet McCormick said the defendant wasn't the man he arrested.

But the man said he was the man. And another man arrested at the same time said that the first man was the man.

Two witnesses of the arrest said he wasn't the man arrested.

Now it is the problem of Municipal Judge William H. Sheaffer to decide whether incarceration in the city prison while awaiting bond could change the appearance of a defendant, James Freeman, Negro, of 603 1/2 South Capitol avenue, to a degree that the arresting officer wouldn't recognize him in court. The case was continued until Wednesday.

According to McCormick he arrested Freeman and Wilbur Wilson, 27, of 8 Poplar street, June 15 at the office of Hannah Noone, town-trustee, 122 North East street, and stated them for vagrancy, disorderly conduct, resisting arrest and resisting an officer.

When the defendants appeared in court, McCormick interrupted proceedings with the denial that the man appearing as Freeman was the Freeman he arrested. He was supported in his statement by Frank Manning, deputy in the trustee's office, and Cecil Gibson, an investigator for the trustee.

The man insisted he was Freeman, and Wilson agreed. Freeman was wearing a green suit at the time of the arrest, and exhibited a pencil, asking if McCormick remembered it.

McCormick insisted that the man he arrested was of larger build than the one before the bench.

Ernest E. Owens, attorney for the defendants, could offer no help, stating he had been retained in the case without conferring with the clients.

Wilson is said by police to have been engaged at other times in making speeches and causing disturbances.

HUGE WAR PAINTING IS ON VIEW TO PUBLIC

Canvas Is 402 Feet Long, 45 Feet High; in Special Building.

WASHINGTON, July 16.—A substantial section of official Washington donned evening clothes recently to attend a preview of the world's largest, though concededly not best, painting.

It is the "Pantheon de la Guerre," now called "The Panorama of the Word War," depicting 6,000 figures who played a part in that titanic struggle. The painting is the work of 128 artists and took five years to make. The canvas is 402 feet long and forty-five feet high.

A local amusement man has the picture and expects to do a good business during the Washington bicentennial. Next year the painting will go to Chicago for the century of progress exhibition.

A special building of gas-tank type of architecture was constructed to house the painting. The round interior is almost covered by it and lecturers point out the prominent figures to gaping visitors.

Prior to the preview, President Hoover was given a private showing. He gazed on the figure of a round-faced gentleman with brown hair and a high, stiff collar. It was Herbert Hoover, food administrator and relief worker.

Three other American Presidents also are depicted. They are Woodrow Wilson, the war-time President; Theodore Roosevelt and William Howard Taft.

SENATE PASSES BILL BANNING BOND ISSUES

Stirring Debate Is Brought On as Measure Comes Up.

There will be no public bond issues in Indiana, except in cases of "indispensable necessity," to be decided by the tax board, during the next ten years if the Hartzell bill passed by the senate Friday receives approval from the house and Governor.

The measure brought forth one of the most stirring debates of the session. Opponents of the bill charged it is designed to stop all public works, which is the one outlet by which government can help the unemployed without giving a dollar.

Senator Lee (Hartsville, Rep.), Ft. Wayne, defended his measure and it was passed, 29 to 17.

Other senate bills passed provide for putting Barrett law delinquency payments into the county treasury, instead of the treasurer's pocket, and establishment of the Holmes plan for merging counties and towns.

Under the bills introduced by Senator C. Oliver Holmes (Rep.), Gary, counties would merge upon a referendum vote favoring merger brought upon petition of thirty-five taxpayers.

Three methods for merging towns are set out, by petition, referendum and by action of the county commissioners.

ARRANGE CAMP FIGHTS

Athletic Program at Fort Is Prepared by Officers.

Athletic program for entertainment of C. M. T. C. candidates at Ft. Harrison will include two practice polo games this week-end and boxing matches three nights a week, it has been announced.

The fights, open to the public, will be held on Monday, Wednesday and Thursday nights. Eleven infantry officers and the Rolling Ridge polo team will meet at 3:30 Saturday and again at 3 Sunday.

AMEE GETTING BETTER

Report Evangelist Slightly Improved; Back Home Again.

By United Press. LOS ANGELES, July 16.—Almee Semple McPherson Hutton, Evangelist, suffering from a complication of nervous disorders, tropical fever and concussion of the brain, was reported slightly improved today at her Moorish castle, Lake Elsinore.

WHITE MAGIC THRILLS RUSTICS

Blue Ridge Awaits Annual Mystery Show by Attorney

Through the ages the mystic art of legerdemain has intrigued all men. Out of this ancient, intricate, has grown a unique fellowship, the Society of American Magicians. Included in its membership are distinguished representatives of science, the professions, business, and the world of affairs generally.

Some of them, in the pursuit of white magic as a hobby, have acquired a skill and lore beyond the ken of the ordinary professional performer. But so quietly and modestly do they demonstrate their attainments that the public hears nothing of this side of their lives.

BY EARL SPARLING
Times Staff Writer

NEW YORK, July 16.—About this time the folks up in Blue Ridge, Essex county, start getting ready for the big free, open-air magical show.

August would not be August without that show. It has been a regular event for years now, as seasonal as the bulging of the melons and the ripening of the corn.

It is held in front of the village postoffice at 7:30 p. m.; come one, come all, and bring the children. Everybody comes, all right. The town folks start gathering right after supper. The farmers drive in for miles around.

And you would never guess, you city slickers, who that rustic magician is. None other than Bernard M. L. Ernst, attorney, of 25 West Forty-third street. A packing box is his stage, a farmer boy his assistant.

The eggs he pulls out of the farmer boy's mouth are fresh, laid that day. But what are eggs to a country audience?

Lawyer Ernst is a better magician than that. He waves empty hands in the air and suddenly there is a box filled with store chocolates, and another one and another one. Real candy, too, as the mothers and the children can testify.

The children clap sticky hands for more. All right, there, another box, right out of thin air.

Meanwhile, the men are getting anxious for the windup, the traditional windup. "That there bottle trick," murmured one of them. "How about it?"

"NATURALLY," I got interested in their problems," explains Ernst. "There were problems of special interest to an attorney. A magician must keep his act secret."

"The very pleasure of the public depends upon that. An audience ceases to be entertained once it learns how a trick is performed."

"A magician may spend thousands of dollars and years of time perfecting an illusion. It is necessary first, that the secret be kept from the public."

It is necessary, second, that other magicians be restrained in the use of the illusion, which would damage its value to the man who created it.

"And, of course, it is impossible for a magician to protect himself by patents. A patent is open to any one who wants to go to the trouble of getting the description of apparatus from the patent office."

In developing means of protecting magical property, this amateur legal conjurer has played an important part. As head of magician organizations, he has helped foster one of the most rigid ethical codes known to any profession.

The right of a magician to what he has created, or even merely received and made famous, is recognized by the organized craft everywhere. Other magicians easily might duplicate the illusion, but they customarily do it only by permission, often by payment of a royalty.

And especially does a member of the society never reveal a secret to an outsider. The amateurs keep as mum as the professionals, probably more so.

In addition, Bernard Ernst has obtained a court decision which amounts to a legal Magna Charta for magicians. It is quite a story, involving the sawing of a woman in half.

Back about 1920, Horace Goldin, an American magician who gained great fame in England and Europe, was visiting the United States for the first time in many years.

"We were at Houdini's home," Ernst remembers, "and Harry said, 'Horace, I'd like you to perform at the coming convention of the society. How about putting on something new for the crowd?'"

"Goldin insisted he did not have anything new. Houdini said, 'All right, I'll find you something.' He went to his shelves filled with books on magic and got out an old volume and turned to a description of an illusion made famous in the seventeenth century by Giuseppe Pinetti."

"This is just the thing," he asserted. "How about sawing a woman in half? It hasn't been done for a century."

"Goldin agreed to do it, and Houdini had his own mechanics build the apparatus. Goldin got more and more interested, and improved on Pinetti's original method."

"At the convention that year—Houdini was head of the national society, you know—the illusion went over with a bang."

"It was so old that it was entirely new to most of the magicians who saw it. That was the beginning of what became almost a national mania."

"Goldin toured the country with the illusion. When he had to go back to Europe, he allowed other magicians to use it on royalty. For several years women were being cut in half all over America, all over the world."

There was such a widespread interest that the Clarion Photo-plays, Inc., attempted to bring out a film exposing how the thing was done. We filed suit for injunction."

The photoplay company contended the illusion was common property; that an Egyptian papyrus in the British Museum told of a head which had been cut off," which he demonstrated to King Khufu in 3766 B. C.; that, moreover, the stunt had been done in the eighteenth century, not only by Pinetti, but by Torrini, Coutts, Robert-Houdini, etc.

MANY veteran American magicians testified they had never heard of the illusion being performed in their time, which went back half a century.

There was testimony that Goldin was earning some \$2,000 a week from royalties and personal performances.

The lower court decided in favor of the movie company, July 14, 1922. The magicians carried the case to the New York supreme court, the higher court, in an opinion written by Justice Dowling, held that the photoplay exposure must be stopped, to wit:

"The success of these illusions depends upon the inability of the average audience to grasp by observation the method employed by the performer. Their value therefore depends upon the degree of mystery."

That was a great day for magicians. It is worth noting that one persuasion upon the higher court was the fact that other noted magicians, Howard Thurston, Carl Rosini, Servais de Roy, etc., had paid Goldin for right to use his illusion, which they did because of the code of ethics encouraged by their society. Thus, literally, a voluntary code helped create a legal precedent.

"As a matter of fact," grinned Ernst today, "the magicians have always had a third way of protecting themselves."

"One day I got a telephone call to come quick and get Harry Houdini out of jail. It developed that another magician had been using a name almost similar to Houdini's for the performance of similar miracles."

Houdini had not bothered with either law or code. He merely had gone to the fellow's office, blackened his eyes and virtually wrecked the place."

"I BAILED him out. And what do you think he said? He said, 'You better get some more ball band, because if that bird hasn't learned his lesson I'm going to wreck him again.'"

Thus, the lawyer in magic. There are a dozen or more other New York lawyers who are amateur magicians, all close-mouthed members of the society, including Morris Ernst, Bernard's cousin.

Bernard got Ernst to take up magic to counteract overwork.

"It's the best nerve tonic in the world," said Bernard to Morris Ernst, was pulling raffles of cards over to his friends' elbow.

To Bernard Ernst magic has become secondary only to law. To date he has collaborated on two books of magic: "Houdini's Escapes," with Walter Gibson; "Houdini and Conan Doyle," with Hereward Carrington; and has written "Houdini's Magic" by himself.

And four times a year, in addition to his appearance in Blue Ridge, he gives a command performance for the Nassau county Boy Scouts. Otherwise, he is a lawyer.

Next—Eugene M. Homes, expert appraiser by day and by night, Remah the Wizard, amateur magician whose tricks have delighted hundreds of thousands of children.



Bernard M. L. Ernst, pupil of Houdini, who finds magic a diversion from his workaday world of law offices and courtrooms. He prescribes it to friends as a nerve tonic.

Houdini taught him other tricks after that. The friendship grew with the years. Houdini dedicated his biography to Ernst, made him intimate with every famous magician of the day.

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ASPHALT DUST USED TO CHECK OIL SPATTERING

Powder Is Sprinkled Over State Roads; Detours Are Fixed.

Use of powdered asphalt sprinkled on fresh oil has been followed by the state highway commission in eliminating objectionable splashing from newly treated roads, according to John J. Brown, department director. Several hundred miles of roads have been made dustless in this manner during the last two weeks, it is said.

Roads oiled and detours established are:

Road 14—Hagerstown north, completed July 15; 8 1/2 miles detour, good gravel.

Road 3—From junction with Road 16 to Zanesville, completed July 20; no detour. Milroy to Rushville, completed July 16; 5-mile detour at north edge of North Vernon, completed July 16; no detour. Marietta to Zanesville, completed July 16; 5-mile detour.

Road 7—Vernon to county line, completed July 15; no detour.

Road 21—Jonesboro to Delaware county line, completed July 16; 15-mile detour.

Road 23—St. Joseph to New Albany, completed July 23; no detour.

Road 35—Salem to Becks Mill road, completed July 15; 7-mile narrow detour.

Road 44—Franklin to Shelbyville, completed July 20; 17 1/2-mile detour.

Road 46—Summit to Easton, completed July 23; 12-mile detour.

Road 55—Powder to Road 24, completed July 15; 12-mile detour.

Road 58—Elmira to White river bridge, completed July 15; 10 miles five miles west, completed July 15; no detour.

Road 107—From Road 7 at Clifty Falls park, completed July 16.

Road 148—Aurora to Road 48, completed July 15; no detour.

Road 161—Huntingburg to five miles west, completed July 15; no detour.

Length and surface condition of detours account paving and bridge construction:

Road 7—Detour from seven and a half miles southeast of Columbus to six and a half miles southeast, for bridge construction and paving, is 7 1/2 miles, good gravel.

Road 14—Detour just west of Rochester, for paving, is 2 miles, good gravel and brick.

Road 15—Detour from one and a half miles south of Warsaw to North Manchester, for paving, is 16 miles, 2 1/2 miles concrete, 13 1/2 miles good gravel.

Road 21—Detour from junction with Road 16 to one mile north of Marion, for paving, is 17 miles, good gravel and stone.

Road 21—Detour Richmond to Muncie, account paving, is 35 miles, good gravel.

Road 28—Detour from Elwood to four miles west of Road 29 and 8, for paving, and grading, is 8 1/2 miles, 2 miles concrete, remainder good gravel.

Road 47—Detour Glenwood to Connersville, for paving, is 14 miles, 2 1/2 miles concrete, 11 1/2 miles good gravel.

Road 50—Detour from two and a half miles west of Seymour to Brownstown, for paving, is 14 miles, good gravel and stone.

Road 58—Detour from Road 24 to four miles west of Road 49 to Shook, or Road 37, south to Paoli, thence Road 150 to Lincoln, for paving, is 150 miles, account grading, is 3 1/2-mile, fair.

University of Minnesota, said: "It apparently had been held prisoner in a cage or box in which it struggled and scratched itself."

Other wounds on the child's body were ascribed to its slayer forcing it down a narrow cesspool opening. The child was not strangled.

A new hunt for the slayer of the child was started immediately after the announcement. The cesspool lies within 150 feet of the Delano home, and at first it was thought the child might have fallen into the hole and died.

BABY FOUND AFTER SIX-DAY SEARCH WAS SUFFOCATED

By United Press. MINNEAPOLIS, July 16.—Baby Leslie Delano, was suffocated probably by a man's hand across his mouth, Coroner E. X. Thorston of Anoka announced today.

The child's body was found after a six days' search by police, citizens and national guardsmen. The baby was the 20-months-old son of Mr. and Mrs. Ray Delano, Columbia Heights.

"The child died within twenty-four hours of the time its body was found," Dr. James G. McCartney,

University of Minnesota, said. "It apparently had been held prisoner in a cage or box in which it struggled and scratched itself."

Other wounds on the child's body were ascribed to its slayer forcing it down a narrow cesspool opening. The child was not strangled.

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HOOVER CUTS OWN PAY 20 PER CENT

WASHINGTON, July 16.—President Hoover Friday cut his salary 20 per cent and ordered reduction of 15 per cent in the pay of the Vice-President and the cabinet members.

Instead of \$75,000 yearly, Mr. Hoover now will receive \$60,000, and the Vice-President and cabinet members will get \$12,750 instead of \$15,000.

In making the cabinet reductions, the White House issued the following statement:

"The President has received the unanimous request from members of the cabinet that they should be subjected to the maximum reduction."

ASSESSMENTS SLICED

Property Owners' Costs Cut in Sixteenth St. Widening Job.

Reductions in assessments of some property owners to pay for widening of Sixteenth street from Capitol to Northwestern avenues, have been made by the works board.

Assessments of owners of property from Northwestern to Mills avenues were cut to 60 per cent; Mills avenue to Missouri street, 50 per cent; Missouri street to Big Four railroad, north side, 30 per cent; Methodist hospital, 20 per cent, and from alley west of Senate avenue to Capitol avenue, 20 per cent.

Three Dead in Plane Crash

By United Press. DULUTH, Minn., July 15.—A seaplane about to land here after a trip from Minneapolis crashed on the lake front Thursday night killing three persons. The dead were Henry V. O'Hara, 23, pilot, Duluth; Robert Bean, 18, passenger, Duluth, and Lloyd Rice, Virginia, Minn.

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FLETCHER AMERICAN NATIONAL BANK

Southwest Corner of Market and Pennsylvania

Saves Her Face



Suntan's all right in its place