

BILL OF RIGHTS
FLUNG ASIDE IN
MINE WAR ZONE

Military Rules With Little
or No Regard to Law in
Taylorville, Ill.

By DANIEL M. KIDNEY
Times Staff Writer

TAYLORVILLE, Ill., Oct. 18.—In this strife-torn Christian county, a word from the sheriff means more than anything which the state or federal Constitutions might set forth in their bill of rights.

Already the word of Sheriff C. H. Weinke has brought the quartering of 450 national guard troops here, patrolling of streets to prevent more than any three citizens loitering, and, above all, the complete ignoring of those ancient prerogative writs of habeas corpus.

Since the military has appeared on the scene "just to help the sheriff," hundreds have been lodged in the county jail, capias or any other civil action for their release have been ignored, and finally they have been discharged without ceremony of indictment or trial.

Called According to Hoyle
Yet all this sacrifice of civil liberties is strictly "according to Hoyle" under the Illinois law, it is contended here by Colonel Robert W. Davis, whose command of the armed forces make him virtual dictator of Taylorville and all Christian county.

When he isn't national guarding, Colonel Davis is editor and publisher of a small town Illinois daily paper. He is philosopher enough to have "rationalized" this soldiering he is doing to satisfy at least himself.

He has been quartered here too many weeks still to retain any hope of the citizens being satisfied with the presence of soldiery in their midst.

Yet, withal, the ordering of Col. Davis to command this situation has been a happy choice. He has kept as good a face as possible in the matter and, until Monday, there had been but one casualty caused by the soldiers' shooting.

The Colonel Explains
Here is how Colonel Davis explained the situation:

"This town and county are not under martial law. Troops were sent here upon order of Governor Emerson when the sheriff asked for them, following a street fight between the two factions of miners.

"So we just are here carrying out whatever orders the sheriff may give which, in his opinion, are needed to keep the peace.

"Being soldiers, however, we operate under the army and navy code and not civilian statutes. Under that code the gathering of more than three persons for five minutes in territory patrolled by the military constitutes a mob and shall be dispersed."

Informed of this mob theory of the colonel, many citizens who had been "shooed" off the streets with bayonets said that they had not been in a group for more than five seconds, let alone five minutes.

No Writ Applies
But to continue with the military mind on such matters as habeas corpus, which have been part of English jurisprudence since 1679.

"No writ of habeas corpus, capias, or any other civil action applies when we find it necessary to put civilians in jail," Colonel Davis continued.

"We have a perfect right to ignore them. They are not recognized in the military and naval code."

Asked at this juncture whether that really isn't "martial law," Colonel Davis again asserted that it is not. Pressed to explain, he thought a moment and then said:

"Well, we do not try civilians, and if this town were under martial law we would hold a military court for them."

The difference thus far has been to jail them without trial and release them at will.

Hold Own Court
Colonel Davis did explain that they hold military court for their own offenders. Even now they are in the midst of a court martial for Corporal Russell Myers, charged with firing the bullet which resulted in the death of Andrew Gyeses, a miner from Tovey, near Taylorville.

Burial of Gyeses Sunday brought out miners and citizens en masse as the first opportunity they had of displaying their intense displeasure with quartering of troops here.

Even if one of his soldiers commit murder, he can not be tried by the courts here without first being turned over to the civil government by military court martial, under Colonel Davis' description of the "military and naval code" under which they operate.

Three Courses Open
"Three things might happen in the present case," Colonel Davis declared. "The soldier might be found guilty and turned over to the civil government for trial. He might be exonerated, on the ground that the shooting was performed in line of duty. Or he might be given military punishment if found guilty."

"In no case can the civil government exercise any authority without military consent."

So that's the status of soldiers and civilians in Christian county, Ill., today.

DRIVE ENDS TONIGHT
J. W. Esterline's Division Leads Enrollment Campaign.

Last meeting of the Y. M. C. A. membership enrollment campaign will be held in the central building tonight.

At Monday's report meeting, the division headed by J. W. Esterline led with 1,030 points.

Fernor S. Cannon, general chairman of the drive, will preside at tonight's meeting.

Nonstop Fight Given Up
By United Press
MARSEILLES, France, Oct. 18.—Jean Mermox, veteran French air mail pilot, abandoned an attempt to fly nonstop to Buenos Aires and break the distance record of John Poyland and Russell Boardman after being aloft eight minutes today.

The Day's Political Roundup
Alice Stars in Silent Drama;
Pat Harrison Stings Hoover;
Notables to Speak in Indiana

At the order of the Republican state committee, a loud speaker system was being dismantled today in the Claypool.

It had been expected to carry the voice of Mrs. Alice Roosevelt Longworth, daughter of Theodore Roosevelt and widow of the late Nicholas Longworth, former Speaker of the house, to several thousand Republican women assembled Monday at a luncheon in honor of the distinguished visitor from Cincinnati.

Instead, Senator James E. Watson was the principal speaker, apparently drafted to fill the gap in the program when Mrs. Longworth's antipathy to public speaking was recalled at the last minute by her hosts. A smile, a bow and an exit from the platform was her "speech."

At conclusion of the luncheon a long line of women filed past the spot where Mrs. Longworth and Watson stood.

Later in the day it was announced that 4,798 persons had received a handclasp from Mrs. Longworth and Watson.

Slightly more than one second was given to each of the vast throng during the hour and a half required for the end of the line to be reached.

Before Mrs. Longworth's return to Cincinnati, it was announced that the meeting was the largest women's political gathering ever held in the state.

At the speakers' table during the luncheon, besides Mrs. Longworth and Watson, were Miss Dorothy Cunningham, national committee-woman, who presided, and Mrs. J. E. P. Holland.

Harrison Exposes Hoover

By Times Special
PERU, Ind., Oct. 18.—President Hoover's record in helping the farmer through federal land bank loan extension was flayed by Senator Pat Harrison of Mississippi at a Democratic rally here Monday night.

"In his Des Moines address the President modestly assumed much credit for legislation granting relief to borrowers from federal land banks," Harrison declared.

"He glorified the lenient treatment being accorded distressed borrowers from that system and took credit for the legislation which appropriated \$25,000,000 to be used by land banks in granting extensions in deserving cases upon installment payments."

As a matter of fact, Harrison said, the administration bitterly had opposed measures introduced for relief of farmers.

Notables in State
Four national speakers will come into Indiana next week to aid the Democratic campaign. R. Earl Peters, state chairman, announced today.

Senator Joseph T. Robinson of Arkansas, 1928 vice-presidential candidate, will speak at Auburn Tuesday night and at Hartford City Wednesday night. Senator Tom Connally of Texas will speak at Danville Wednesday night, and at Shelbyville Thursday night.

Congressman William B. Bankhead of Alabama, is scheduled to speak at Salem Wednesday; Spencer, Thursday, and Cambridge City, Friday night. Mrs. Frances Perkins, member of the New York labor commission, will speak in Ft. Wayne Wednesday night.

Judge Martin to Speak
Judge Clarence R. Martin, Republican candidate for re-election to the supreme court, will address a Third ward Republican club rally Oct. 29, at Wiegand's hall, Sixteenth and Illinois streets, it was announced today by Edgar Hart, Republican county chairman.

Plea to Vote Sounded
By United Press
DES MOINES, Ia., Oct. 18.—The United States Junior Chamber of Commerce, through a special committee, today sounded a call to city, county and state officials of America to issue proclamations to help in the vote-getting drive.

To reach the goal the chamber has set for itself, each city and state must cast a total vote of at least 42 per cent of its 1930 population. Miller pointed out and he urged that this percentage be embodied in proclamations urging all citizens to vote.

Negro Voters to Meet
Mass meeting of Negro voters will be held tonight in Keith's theater, preceded by a parade from North and West streets to the downtown district.

Oscar De Priest, Negro congressman from Chicago, and Mrs. Nina Burroughs of Washington, noted Negro woman educator, will speak. W. S. Henry, local Negro attorney, will preside. It is expected the mass meeting will be the largest in years.

Democrats Plan Rally
Democrats of the eighth and twenty-first precincts of the Fifteenth ward will hold an old-fashioned rally at Wayne township school corps headquarters, 202 South Holmes avenue, Wednesday night. The meeting is arranged to arouse interest in the visit of Franklin D. Roosevelt, Democratic presidential nominee, to the city Thursday. Raymond F. Murray, attorney, will speak.

Cox Starts Campaign
Election campaign of Earl R. Cox, Democratic nominee for circuit court judge, was begun Monday night with an address by Charles Schlosser, attorney, at 2232 North Illinois street.

Schlosser, who opposed Cox in the primary, stressed the nominee's qualifications, asserting "Cox is qualified fully to fulfill the duties of judge."

"He will follow the law as it is written and, in interpretation of the law, will bring to the bench a fine sympathy and understanding of the problems of the every day citizens of Marion county," he said.

Schlosser attacked Republican attorneys for attempting to make it appear that Harry O. Chamberlain is a nonpartisan nominee.

Put Al Smith in Race
Perhaps the quaintest bit of current political propaganda is the advertisement of a Chicago organization, entitled "Smith-for-President Club," to obtain votes for the Democratic presidential nominee of 1932.

The club, sending out postal cards, several of which are reported to have been received in Indianapolis, urges voters:

"Let us express our loyalty and faith in Alfred E. Smith by writing his name on the ballot Nov. 3. Vote for him!"

"Ask your friends to vote for him. Write to three friends asking them to write to three more persons. Let us keep the chain going and watch the result."

Mark out names of Democratic presidential electors. Use postal cards.

One of the cards received here was addressed to Mrs. Bernardine Koesters, 527 Terrace avenue. It gave no advice as to the method of voting for Smith on the machines, an impossibility. Election officials said such propaganda might result in alterations which would slow voting.

Outstanding Speeches
Outstanding speeches in the political campaign this week follow:

Today—Secretary of Interior Ray Lyman Wilbur, Grinnell, Ia., noon and Iowa Governor Charles H. McNair, Des Moines, 8 p.m.

Monday—Senator Joseph T. Robinson, Little Rock, 8 p.m.; Senator Tom Connally, Dallas, 8 p.m.; Senator Charles McNary, Indianapolis, 8 p.m.



Senator George W. Norris
The Nebraska senator bitterly lashed President Hoover and his policies in his Philadelphia speech Monday night.

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SEXTON'S TEST
ON DELINQUENT
TAX LAWS FILED

Uncertainty and Confusion
Arise From New Acts,
Suit Charges.

First suit to test constitutionality of delinquent tax laws passed in the special session of the legislature, involving penalties to be assessed against delinquent taxpayers, was filed today before Superior Judge John W. Kern by County Treasurer Timothy P. Sexton.

Alleging the new acts have resulted in "uncertainty, confusion and irreconcilable conflict," Sexton asks a court judgment declaring the laws invalid, and seeks to block enforcement of a new statute forcing county treasurers to refund delinquent taxes collected in the spring of 1932.

As result of conflict following passage of the statutes, the treasurer is "unable to determine his rights and duties," Sexton avers.

Payments Virtually Cease
The suit charges that enacting of the laws virtually has caused payments to cease on more than 50,000 delinquent tax accounts, and that \$197,071 in uncollected penalties over a three-year period can not be collected until alleged irrelevancies of the new laws are adjudicated.

Sexton further charges that the new statutes make no provision for cost of mailing delinquent notices, and that provisions for enforcing collection and assessing penalties are "vague and uncertain."

The treasurer is vested, under the new statutes, with no power to levy against property for delinquent taxes, it is alleged in the suit.

No provisions are made for hiring additional help to collect 110,000 Barlett law accounts involving a total of more than \$5,500,000, the suit avers.

Charges Laws Conflict
Alleged conflict in the laws involving delinquent taxes in 1929, 1930 and the first installment of 1931 prevents legal assessment of penalties for any installment in that period, it is charged.

Sexton also avers in the suit that the new laws conflict as to the amount of fees, mileage costs and delinquent charges paid to the treasurer for collection of delinquent accounts.

Because of the alleged conflicts, the treasurer now is without authority to proceed with collection of delinquent accounts over the three-year period, Sexton alleges.

CIRCLE PARKING FOUGHT
City Council Probably Will Vote 6 to 3 Against Proposal.

Preliminary discussion at the city council meeting Monday night indicated restoration of parking on Monument Circle will be opposed by a 6-to-3 vote.

Cause of the debate was a petition from the Indianapolis Merchants Association of Circle parking "as an aid to downtown business." The Chamber of Commerce and the Hoosier Motor Club joined in signing the petition.

Democratic candidates will speak at a Tenth ward meeting tonight at the home of Mrs. Mary Sandusky, 2740 Barth avenue.

First of a series of discussion meetings with Marion county farm women will be held at 2 Wednesday afternoon at Riverbrook farms by the women's division of the Socialist party. Mrs. Mary Donovan Hapgood, wife of Powers Hapgood, Socialist Governor candidate, will lead the discussion. Mrs. Lawrence Henry will preside.

Find Way to Cut
Costs of Colds
More Than Half

Years of research by Vicks Chemists resulted last year in development of a new aid in preventing colds—Vicks Nose & Throat Drops. It is the ideal companion to Vicks VapoRub, the modern way of treating colds. Together with certain simple rules of health, these preparations form Vicks Plan for better Control of Colds.

Vicks Plan was thoroughly tested and proved last winter. In carefully supervised clinics in schools, colleges and homes, results showed that the Plan reduced the number, duration and severity of colds by half—and cut their costs even more. The satisfaction of hundreds of thousands of enthusiastic users—all over the country—confirm these tests. The Plan is fully explained in each Vicks package.

To WARD OFF Colds
... use VICKS
Nose & Throat
DROPS

Building and loan shares have not fluctuated. For value and safety they are unrivaled by any other nongovernment investment in the country.

... just a few drops up each nostril at that first feeling of stuffiness or nasal irritation. Aids Nature's defense in preventing colds.

To GET RID of a Cold
... use VICKS
VAPORUB

Its direct double action means quicker relief. The family standby in treating colds—over 26 million jars used yearly.

Boy Passes Year in Coma



Exactly one year ago, Joe Higgins, then 8, was stricken by sleeping sickness and went into a coma. He never has been conscious since. But physicians now believe that time may effect a cure and that he suddenly may awaken.

Joe is able to open his eyes now, something he couldn't do a few months ago, although he doesn't see what is going on around him. Here you see the unconscious boy being fed with goat milk, his only food, by Mrs. J. T. Rider.

She took Joe into her Memphis (Tenn.) home when his father was unable to care for the boy.

Changes in police personnel provided by a recently city ordinance were approved by the safety board today on Chief Mike Morrissey's recommendation.

Morrissey's recommendation was for the reduction of Herbert Fletcher from police major to captain, demotion of Frank Owen, lieutenant in the accident prevention bureau, to sergeant; promotion of Timothy McMahon from patrolman to sergeant in the bureau, and reassignment of policewomen to patrolman grade.

All changes in the department were forecast in an ordinance which was sponsored by the safety board.

The ordinance was signed a week ago by Mayor Reginald H. Sullivan, after it had been drafted to place into immediate effect the changes incorporated in the 1933 city budget.

Fletcher's post was eliminated by failure to provide funds for his salary as major, and increasing the number of police captains. No mention was made in budget or ordinance of the accident prevention bureau.

Rank of policewomen is not mentioned in the ordinance, the positions being covered by creating new ranks of third, fourth and fifth grade patrolmen.

Home Robbed of Gems, Cash
Jewelry valued at \$156 and \$22.50 in cash was stolen from the home of Mrs. Mona C. Blacketer, 802 North La Salle street, during her absence Monday afternoon, she reported to police.

POLICE SHIFT
APPROVED BY
SAFETY BOARD

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NOMINATE



Overwhelming demand nominates the Gillette BLUE BLADE as the nation's first choice. These are the reasons; glass-hard edges of amazing sharpness—easy flexing, slotted center for adjustability—secret-processed steel. Learn how comfortable shaving can be. Try the Gillette Blue Blade.



Building and Loan Associations..

are mutually owned. Each member being a stockholder.

They are not banks, nor does their method of operation permit them to conduct a banking business.

Investing members lend money to borrowing members. The profits are paid, in dividends, to all shareholders.

Borrowing members secure these long time loans with first mortgages on improved real estate.

Your dollars invested in these associations are still worth 100 cents each.

THE MARION COUNTY
League of BUILDING & LOAN
ASSOCIATIONS