

JUDGE BAKER SAYS GAMING PAYOFF EXISTS

Fines Rahke \$500 After Criticizing Indictment As 'Weak.'

(Continued from Page One)

Mr. Spencer was in Chicago, his office said. Chief Deputy Prosecutor Oscar Hagenauer also was out of town, the office said.

Rahke pleaded guilty Monday to the aiding and abetting a lottery scheme charge, the judge pointed out.

Addressing Ed Meyer, vice squad officer, Judge Baker asked:

"I want to know if the vice squad is responsible for this indictment. Do they investigate other places. How about place in Wabash St? Is that territory under your supervision?"

"Yes, if there is a gambling place there," Officer Meyer said.

"Travesty," Charges Judge

"If there is a place, you say," Judge Baker said between gusts of laughter. "I walked by there the other day and saw gambling in full view."

"Furthermore, who operates on S. New Jersey St? You (Officer Meyer) ought to get someone above you to take off your strait jacket so you could operate."

In reply to Mr. Howard's statement, Judge Baker declared:

"The grand jury has the power to bring in anybody it wants without a search warrant. I know lotteries can be stopped, but this case with the indictment is just a travesty."

The situation in Indianapolis shows that somebody is profiting very greatly from gambling as it exists."

When informed of Judge Baker's charges, Sheriff Ray said:

"He (the Judge) is saying something that I have known for years. This is apparently a controversy between Judge Baker and Prosecutor Spencer, and I can't see any reason for mixing into it."

"We weren't called in on this case at all. Everyone remembers the effort I made to clean up things around here. I didn't get any cooperation. All I did was wear myself out and accomplish nothing."

Chief Morrissey could not be reached for comment, and Mayor Kern was out of the city, his office said.

LOCAL YOUTHS HELD IN ROBBERY SERIES

Sheriff Claims Confession
In Station Holdup.

By United Press

KNOX, June 23.—Three Indianapolis youths were held in the Starke County jail today as suspects in a long series of filling station robberies in northern Indiana. Authorities said one of them had confessed.

Those in jail are John Hanrahan, 20, said to have admitted his part in the robberies; Dennis L. Stewart, 21, and Herbert Coss, 19.

Sheriff Frank B. Lough said that Hanrahan has no previous record but that Stewart and Coss are on parole from the Indiana Reformatory. All three are suspected of committing holdups in Winamac, Chesterton, Star City, Knox, San Pierre, Hamlet and La Crosse.

Sheriff Lough led a posse into the woods along the Kankakee River in Jasper County when a State game warden heard shots on the Ed Vollmer farm. Later it was learned the trio were firing at silver coins placed in a tree.

In an automobile which the sheriff said was stolen in Indianapolis, a bullet was found a few feet from gun, five other shotguns, six small-caliber rifles and one revolver. Also there was about \$200 in small change, a blow torch, two radios and a hacksaw.

IN INDIANAPOLIS

MEETINGS TODAY

Kiwanis Club, international convention, all day. Elks Club, luncheon. Hotel Washington, noon. Young Men's Discussion Club, dinner, Y. M. C. A., 6 p. m. Indiana Association, luncheon, Hotel Sevier, noon.

Twelfth District American Legion, luncheon. Sigma Alpha Epsilon, luncheon. Board of Trade, noon.

Resale Board Property Management Division, luncheon, Hotel Washington, noon.

MEETINGS TOMORROW

Kiwanis Clubs, international convention, all day. Real Estate Board, luncheon, Hotel Washington, noon. Sigma Chi, luncheon, Board of Trade, noon.

American Business Club, luncheon. Indiana Acaia, luncheon, Board of Trade, noon.

Sigma Nu luncheon, Hotel Washington, noon.

Caravan Club, luncheon, Murat Temple, noon.

Indiana Motor Traffic Association, luncheon. Hotel Antlers, noon.

MARRIAGE LICENSES

(These lists are from official records at the County Court House. The Times is not responsible for any errors of names or addresses.)

Ward McAvoy, 31, of 1312 Carrollton Ave., to Mary Anne Demaree, 33, of 312 Carrollton Ave.

Albert B. Anderson, 24, of 1013 Castle Ave., to Elizabeth Rice, 18, of Indianapolis.

Donald E. Kimberlin, 22, of 3017 Clinton Grange Ave., to Norma K. Durlinger, 21.

Harold C. Graves, 29, of 630 N. Main St., to Beech Grove, to Fannie E. Burris, 24.

William Webb, 72, of Mayfield, Ind., to Katherine Carver, 21, of Mayfield.

Alvin Carver, 18, of Indianapolis, to Mollie Bandy, 18, of 1833 Miller St.

Albert Johnson, 21, of 320 W. 29th St., to Ruth Cain, 19, of 4108 E. Michigan St.

BIRTHS

Boys

Boyd, Clara Shacklett, at 4110 Corraline.

Bernard Lulu Kocher, at 2011 Sherry.

Rolling, Linda, at 101 Lanning.

William, Julia Pipes, at 512 Patterson.

Harold, Dorothy Rutland, at 916 Muskegon.

William, Beatrice Mowery, at 144 W. Ohio.

Paul, Annis McKinney, at 223 English.

Girls

Lynne, Gladys Ward, at 1228 W. 25th.

George, Mabel, at 31 N. Carrollton.

Corinne, Linda, at 2125 Graymont.

Willard, Ella, at 1249 W. 25th.

Boy, Celesta Wood, at 514 W. Henry.

George, Nora Johnson, at 1706 W. Brook.

Delman, Ella, Lacey, at 2158 Highland.

DEATHS

Jerome Tanner, 78, at City, cerebral hemorrhage.

William Frank Tingle, 54, at 738 King, cerebral hemorrhage.

William Wells, 58, at Long, pneumonia.

Civil Liberties Plea by Butash Is Upheld by Supreme Court



Paul Butash

(Continued from Page One)

sentenced to one to five years in prison.

According to the trial testimony, Mr. Butash solicited magazine subscriptions from Angola businessmen. In his conversation with one, he mentioned the word "system" in connection with the economic and political order. This lead to his invitation to speak.

Mr. Butash denied that he advocated the overthrow of government through force, insisting that his use of the word "force" had been misunderstood. He was a staunch supporter of the Constitution, the Chicago magazine salesman said.

"There is no evidence upon which a verdict of guilty could rest and the verdict is not supported by sufficient evidence and is contrary to law."

The defense had attacked constitutionality of the Indiana criminal syndicalism law as "throttling free expression." Butash's attorneys cited the recent U. S. Supreme Court decision freeing Dick De Jonge from a seven-year sentence under the Oregon Criminal syndicalism law for participating in a Communist rally.

They also cited the highest court's recent decision in favor of Angelo Herndon, Georgia Negro charged with inciting insurrection.

The decision today did not rule on constitutionality of the Indiana law.

First Test of 1918 Law

This was the first test of the Criminal Syndicalism Law since its passage in 1918.

Mr. Butash was convicted on charges of attempting to advocate overthrow of the government by force. He was arrested in May, 1936, after speaking at a meeting of Angola businessmen and Tri-State College students.

Witnesses who testified against him said they invited him to speak so they could trap him.

After speaking five minutes, Mr. Butash answered questions from his hosts, who declared he favored the Farmer-Labor Party. He suggested, according to testimony, that Congress "could be forced to take action" on pending security legislation.

The naturalized Hungarian was saved from the crowd by college students after he was attacked, trial records showed. Warned to leave Angola, he was arrested the next day. He was convicted in July and

DECLARE MONEY PAID FOR STOCKS NEVER RECEIVED

Morley Trial Witnesses As-
sert Holdings Were
Illegally Traded.

(Photo, Page 12)

Additional witnesses today testified in Federal Court that they paid the C. J. Morley Co. for stocks which never were delivered and others said stocks they bought were switched for others against their will.

The testimony was given in the trial of Morley, a former Colorado Governor and judge, and four others on charges of using the mails to defraud in the operations of alleged "bucket shops" here and in Evansville.

Mark Zimmer, Kokomo engineer, testified that he paid \$600 for stocks and that they were traded for others without his authority.

Describe Alleged Operations

He said he was told that he had bought the stocks on margin and that the day the company's offices here were raided he was called in to make an additional payment.

The witness said that he paid for his stock by check. He said the check was indorsed first by Olaf T. Anderson, one of the defendants, and then by Andrew Jacobs, attorney.

Louis J. Eckstein, Jasper manufacturer, testified also that stock he purchased was traded for another against his wish.

V. E. Blakely, Winchester clothier; Harry Rizzo, Middletown fruit dealer, and Oris H. Wright, Vincennes, testified today that they received the stocks on which they made payments.

Charles J. Golden, Ft. Wayne, clothier, told the jury, on examination by the U. S. Attorney, that he had contracted to buy \$112,750 in stocks; that he paid over a period of months approximately \$1100 in money and collateral for which he received no securities nor the return of his investment.

50 Others to Testify

Thus far 29 of 85 witnesses called by the Government have testified. Exhibits to be issued by the Government will total more than 400, according to District Attorney Val Nolan.

Many of the witnesses have related about high pressure methods of selling by a man whom they knew only as "Mr. Spencer."

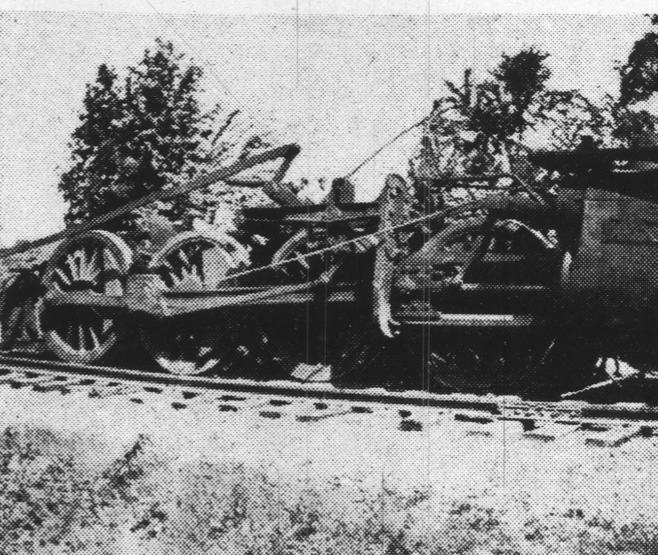
Freely objecting to testimony and admission of exhibits as evidence, William Bryan, Denver, attorney for the 69-year-old defendant, sought to check the stream of Government testimony.

One of the exhibits introduced by the Government as evidence, described as the "sucker list," contained long lists of names of middle-class business men, farmers, doctors and manufacturers who were to be induced to buy stock which the producer claims never was received.

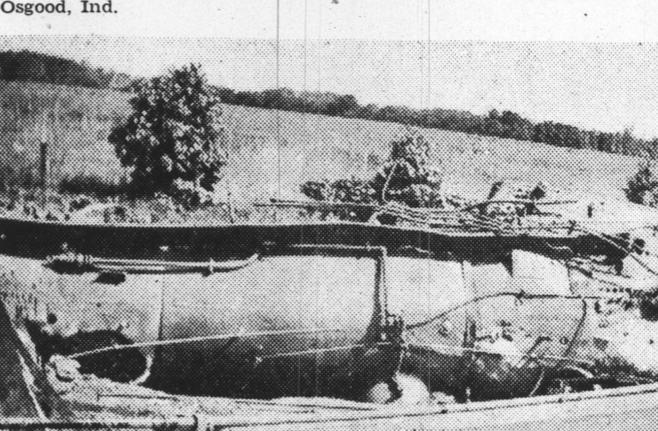
When the distribution is made the School City is to receive the largest amount, \$2,862,020. The City General Fund will get \$1,695,155, the County General Fund \$644,757 and the Marion County Welfare Department \$454,899.

The balance will be distributed among various smaller taxing units.

Train Blast Toll at 3



Death in Milan Hospital last night of Engineer George Gottberg, 50, of Louisville, increased to three the toll of the boiler explosion which wrecked this Baltimore & Ohio Railroad engine yesterday morning near Osgood, Ind.



Charles Dickason, 55, Seymour, trainman, and Roy Carr, 47, Mitchell, fireman, were killed instantly in the blast which tore the boiler in three parts and hurled this one back along-side one of the 12 cars which were derailed.

Delinquent Payments Swell Marion County Tax Collection

Marion County tax payments during the spring collection, which closed May 2, totaled \$8,642,088, according to figures released today by Chief Deputy Auditor F. W. Bliemer.

The amount is \$373,700 more than the \$8,268,388 payments during the corresponding collection a year ago.

The deputy auditor said that of this year's total \$693,935 represented payments on delinquencies.

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By United Press

VINCENNES, June 23.—The excitement of the seventh round of the Loos-Bradlock championship fight last night proved fatal to W. B. Scott, 50, New Albany chemical company salesman.

Rep. Allen T. Treadway (R. Mass.) said that a book on taxes, of

Dreaded Texas Killer Leads 19 In Farm Break

By United Press

WELDON, Tex., June 23.—Nineteen fugitives from the Eastham Prison Farm, including murderers, robbers, burglars and thieves, roamed the woods of the Trinity River bottoms today in a break for freedom.

The 19 others were led by W. H. Bybee, a killer once reprieved from a death sentence and an associate of Raymond Hamilton, Clyde Barrow and Bonnie Parker, three of the most dreaded outlaws of the generation before they were exterminated.

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