

The Indianapolis Times

FORECAST: Fair tonight and tomorrow; cooler by tomorrow night.

MONDAY, OCTOBER 11, 1937

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FINAL HOME

PRICE THREE CENTS

OGDEN MILLS, G. O. P. LEADER, DEAD

FOOD TRUCKING STRIKE HERE REPORTED POSSIBLE AS MILK TIEUP CONTINUES

State Repeats Charge Of 'Lockout' After Parley Fails.

NO NEW STRIKES

Deliveries Tomorrow Still in Doubt as Talks Resume.

Continuing for the fourth day what the State Labor Department terms a "lockout of consumers," the Indianapolis Milk Council, distributors' organization, this afternoon was to resume conciliation conferences with the union.

If the new conference fails to solve the tieup, reported to be deadlocked on the union's demand for a closed shop, Labor Commissioner Thomas Hutson, uninvited to today's conference, said he might take charge.

Meanwhile, C. Winfield Hunt, Council secretary and dairy owners' spokesman, said there is an acute bottle shortage at many of the 24 plants because people have not been returning bottles.

Reiterates His Stand

Mr. Hutson reiterated today that "there is no reason why all but the three struck plants—Weber Milk Co., Capitol Dairies and Furnas Ice Cream Co.—should not be delivering milk under available police protection."

Leslie Dobbs, union secretary, said that in yesterday's futile conferences, the union, when distributors refused to grant a closed shop, countered with a proposal for a preferential shop, he said.

"Union officials also suggested that the industry as a whole adopt a basic wage scale equal to the average of the wages of the two highest paid companies. This was rejected by distributors."

Hunt Declines Comment

Mr. Dobbs this afternoon would not say whether milk deliveries would be resumed tomorrow. He declined to comment on why non-striking distributors continued not to deliver milk in spite of police reports of no threats of violence and offers of protection.

Leon C. Collier, Marion County Area Milk Control Administrator, said there was some hope of deliveries by tomorrow morning. He said that "the closed shop" issue was the only barrier to settlement of the dispute.

Mr. Dobbs also said: "We have begun to arbitrate and it is now the company's duty to resume deliveries. The union will do nothing to interfere with deliveries in non-striking plants. It is up to the companies to stop the lockout that is preventing deliveries. We have no intention of shutting off the city's milk supply because we realize the results of a complete tieup."

"Move Not Backed by Union"

"I understand a group of independent union drivers may seek an injunction against two companies, to force them to furnish milk to the drivers can resume normal deliveries. This move is not backed by the union."

He added that the main subjects to be discussed this afternoon were the "closed shop" and wage scales.

"We will hold out for a closed shop no matter how long it takes," he said.

Mr. Dobbs said drivers average from eight to fifteen hours a day, receiving from \$15 to \$20 a week. Plant employees, he said, average eight to twelve hours a day and receive from \$12 to \$20 a week.

Mayor Boetcher, returning to his office after a two weeks' illness said that he would "go into the situation" today. Previously he had said he would not interfere as long as the State Labor Board was attempting a settlement.

Mr. Collier said he hoped a settlement would be reached today.

"I really believe," he said, "that (Turn to Page Three)

Union Official Says He Has Warned One Company.

MEETING CALLED

Bus and Furniture Workers Remain Off Jobs.

While strikes of milk drivers, furniture company loaders and haulers and Beech Grove bus operators continued, Harry Peats, Teamsters' and Chauffeurs' Union local secretary, this afternoon announced he had "issued an ultimatum" to one wholesale grocery company "and it is just a matter of time before we'll get to the others."

"I have asked for a conference this afternoon with the company management and if it does not come clean then, the chances are I'll pull the drivers off the jobs," he said.

"We will get to them one at a time," he said.

Mr. Peats estimated approximately 200 workers would be affected. Frederick E. Schortemeier, attorney for a group of wholesale grocers, said the conference this afternoon will be held in the State Labor Department offices.

He said the company involved is Bessie & Co., 101 E. South St., employers of approximately 40 loaders and haulers.

"Although negotiations have been taking place with about all wholesale grocers, the one company is the only one on the griddle at this time," Mr. Schortemeier said.

"The union has threatened to call a strike at Bessie & Co. tomorrow if an agreement is not reached this afternoon," the attorney said. "A general strike among wholesale grocery employees might lead to a food shortage in Indianapolis and surrounding communities."

Meanwhile, Carl Koch, Beech Grove Civic League president, called a meeting of the organization's 200 members for tonight to "get the straight of the Beech Grove Bus Co. strike."

Representatives of the union and the management are to be present.

Mr. Peats also announced no progress had been made toward settlement of the strike of eight Beech Grove Bus Co. drivers. The buses continued to be operated, it was reported.

Greyhound Strike Postponed

"We have been unable to find the management to open negotiations," Mr. Peats claimed.

The union drivers are asking a 50-cent hourly wage scale, union recognition, eight-hour day and reinstatement of two drivers.

Union officials also were to decide today whether to picket the 16 furniture stores whose drivers walked out Friday afternoon.

Both Leo Rappaport, attorney for 10 of the struck companies, and Mr. Peats said no conferences had been scheduled for today. Each announced, however, that he was willing to open negotiations.

"This strike was called while ne (Turn to Page Three)

WASHINGTON, Oct. 11 (U. P.).—President Roosevelt's radio "fireside chat" tomorrow night will deal with six subjects, the White House announced today, giving rise to belief that the President intends to give the nation a comprehensive review of the entire national situation.

In a Pulaski Day speech today, Mr. Roosevelt for the second time within a week emphasized American determination to pit her full strength against efforts to substitute force for freedom in international relations.

"We as a nation seek spiritual union with all who love freedom," the President said, praising Poland. "Of many bloods and of diverse national origins, we stand before the world today as one people united in a common determination."

"That determination is to uphold the ideal of human society which makes conscience superior to brute strength—the ideal which would substitute freedom for force in the governments of the world."

STEPS TO HALT ITALY IN SPAIN MAY BE TAKEN

Britain and France Consider Restoring Balance of Power in War.

LONDON—Britain and France may take steps to restore balance in Spanish war for fear they may have to take stronger action later.

PARIS—France notifies Britain she will not open frontier to Spain or take other retaliatory action against Italy without Britain's approval.

TUNIS—Spanish Loyalist liner shelled and sunk by two unidentified torpedo boats.

HENDAYE—Rebels reported preparing drive to separate Valencia from Catalonia.

ROME—Fifty-four hundred additional troops sail for Italian North Africa.

SHANGHAI—South China leader offers Government three million men, of whom 200,000 are under arms, Chinese assert; move would unite Central Government with Kwangsi chieftains.

TOKYO—Government submits plan to Privy Council for Supreme War Council of national leaders.

NANKING—Chinese reiterate charges that Japanese are using poison gas.

(Broun, Gen. Johnson and Merry-Go-Round, Page 12)

LONDON, Oct. 11 (U. P.).—Belief hardened in London and Paris today that unless Britain and France stood together and took immediate measures to restore balance in the Spanish war, they would have to take much stronger action later.

Two developments showed clearly the anxiety France and Britain share as the result of Italy's refusal to discuss with them the withdrawal of foreign volunteers from the Spanish Civil War:

1. The French general staff was again reported in diplomatic quarters to have told Premier Camille Chautemps that it could not accept responsibility for the national defense if large scale foreign intervention in Spain, leading to a Rebel victory, were permitted.

2. The British Government canvassed all engineering works inquiring as to the capabilities of all skilled and unskilled workers, it was learned, apparently with a view to putting them to making munitions.

Prime Minister Chamberlain returned to London today to take charge of the situation. So serious was the problem regarded that it was understood that no decision at all on British policy would be taken before the cabinet as a whole had reviewed the positions at its regular meeting Wednesday. But it seemed increasingly likely that in the end France would open her frontier for arm and men for the Spanish Loyalists and that Britain would support her fully.

Coincidentally with the Mediterranean problem, Premier Chamberlain took up the plan for an international conference to consider action in the Chinese-Japanese war.

It was said authoritatively that the Belgian Government, responding to British inquiries, had said that it would support her fully.

Things which the President might discuss include the possibility of a special session of Congress, flood control and power generation, wages and hour legislation, and the agricultural situation.

Although it was considered impossible that he would announce an extra session then, it was believed that he would cite needs for immediate control legislation and the enactment of his Wages and Hours Bill.

The White House announcement of the address gave no indication of what the President's subject would be. But it was almost unanimous.

(Turn to Page Three)

Supreme Court Backs Black, Rejecting Two Pleas for His Ouster

Action Removes Immediate Legal Barriers Confronting Justice, Center of Klan Controversy; NLRB Test Case Is Accepted.

WASHINGTON, Oct. 11 (U. P.).—The Supreme Court today removed all present legal threats to the tenure of Associate Justice Hugo L. Black on the high bench when it rejected two motions seeking to challenge his right to sit upon the Court. At the same time the Court acted upon a series of petitions seeking to test constitutionality of New Deal laws.

Chief Justice Charles Evans Hughes announced as the Supreme Court met today that petitions filed by Albert Levitt, resigned Justice Department official, and Patrick Henry Kelly, Boston attorney, seeking to test Justice Black's right to his seat had been rejected.

Justice Black, storm center of Ku-Klux Klan charges, did not participate in the Court's deliberation of the petitions challenging his right to sit on the bench nor did he participate in the decisions of the Court on any of the actions announced today.

Black Takes No Part

Appended to the Court's list of orders—disposition of petitions seeking action—today was this note: "Mr. Justice Black took no part in the consideration or decisions of the cases in which decisions or orders are this day announced."

While some new legal challenge to Justice Black might be filed with the Court at a later date, the action today appeared to end for the present possible legal action against his continued membership on the Court. Mr. Levitt said he had no plans for a new test of Justice Black's eligibility. Mr. Kelly was of the same mind.

Chief actions of the Court today: Refused to reconsider its 4-4 decision declaring the New Deal Municipal Bankruptcy Act unconstitutional—apparently closing the door to reconsideration of close decisions unfavorable to the Administration.

Refuses to Hear Argument

Refused to hear argument on three cases in which lower courts held the Commodities Exchange Act to be constitutional.

Accepted new tests of the National Labor Relations Act, involving validity of its application to shipbuilding yards.

Accepted a further test of the New Deal gold clause repudiation, in a case similar to one already filed for the Court by Robert A. Taft of Cincinnati. Rejected a slightly different type of case in which legality of the gold clause legislation was upheld by the District of Columbia Court of Appeals.

Gave the Government a minor victory in the long legal clash over the Tennessee Valley Authority when it refused to consider the Georgia Power Co. attack on an injunction barring it from participating with other utilities in an attack on TVA constitutionality.

After the session Mr. Levitt was doubtful concerning further action.

"At this moment," he said, "I do not know which of four legal steps will be taken. It will depend on further thought and consideration of the opinion. It was not surprised because it was one of the possibilities which I had prepared for."

Charges Issue Is Evaded

Mr. Kelly said the Court had evaded the issue.

"This is evasion of the issue that we brought to the attention of the Court," he said. "For this reason: 'The Court was of its own motion' when informed that an imposter or usurper is seeking possession of the Court to verify the truth of the matter."

"If a private citizen informs the Court that any lawyer of the Court is guilty of misconduct the Court is bound to investigate that charge and if it does not do so it violates its oath to keep the Court pure and beyond suspicion."

The gold clause suit brought by John Ogden of Indianapolis was rejected. He sought to force the Government to pay in prevaluation gold value for his Liberty Bonds which he offered for redemption in accordance with the Treasury's 1935 call, and resulted in a District of Columbia Circuit Court of Appeals ruling upholding the Treasury's refusal to do so.

There also will be printed the photo of one of your favorites to help you in your identification quest.

Instructions on what to do with your identifications and the contest rules—there aren't many—are printed today on Page 4. So is today's silhouette.

There have been printed so far only three silhouettes and if you need them you can obtain them at The Times office, 214 W. Maryland St. So remember the entry list still is open to you.

The second prize is \$100 in cash and the third, \$50. The fourth prize will be a luxury plane trip to Chicago and a real vacation. Fifth prize will be \$25; sixth, \$10; the next 10, \$5 each, and the next 10, \$3 each.

Even if you are not among those submitting the 26 best answers, there are more prizes. Seventy-five contestants are to get pairs of movie theater tickets.

SAFETY WEEK OPENING FINDS AUTO TOLL 116

Civic Groups Join Drive to Reduce Accidents; 19 Drivers Fined.

STATE CRASHES KILL 14

One Fatality Is Reported in City; Ten Others Are Injured.

COUNTY—Another fatal accident raises traffic death toll to 116. Nineteen motorists fined \$164 as Safety Week campaign is opened.

STATE—Fourteen killed in week-end traffic accidents.

The 116th victim was added to Marion County's 1937 traffic death toll and 14 others were killed over the state in week-end accidents.

In addition, 12 persons were injured in Marion County accidents and 19 motorists were fined \$164 in Municipal Court as police opened the City's Safety Week campaign. Forty-nine others were to face trial later.

Henry Parrish, 69, of 1209 E. 19th St., was killed when struck by an automobile while walking along 38th St. near Emerson Ave. Saturday night.

Wade Sangster, 21, of Marion, the driver, told police he did not see Mr. Parrish. He was ordered held under \$500 bond by Dr. Norman Booher, deputy coroner, pending investigation.

Fined as Topsy Driver

In Municipal Court, Walter Reid, 47, of 47 N. Miley Ave., was fined \$10 and costs for drunken driving and \$5 for failure to have a tail light. His driver's license was revoked for six months.

Largest number of city traffic violations were for failure to stop at preferential streets, 11 motorists paying \$80 in fines and costs. Costs amounting to \$40 were suspended. Five persons paid \$43 in fines and costs for disobeying traffic signals, with \$20 in costs suspended.

Mrs. George Kirk, 29, of 98 Brookside Rd. and her 3-year-old son, Robert, were treated in St. Vincent's Hospital last night following a collision at Walcott and New York Sts.

Mrs. Kirk drove a car which collided with another driven by Oils Cooksey, 48, Martinsville, police said.

Man, 80, Injured

John Cameron, 80, of 2913 N. Dearborn St., was reported in fair condition in City Hospital, today after he was struck by an automobile last night in Dearborn St. near his home. Walter Thomas, 43, of 1658 Park Ave., was the driver, police said.

Three persons were treated in hospitals for injuries received in a three-car accident yesterday in the 4300 block Rockville Rd. They were John Herron, 24, 504 W. Washington St.; Walter Sienkner, 19, Montevideo, and Mrs. Marie Campbell, 41, of 1220 N. Illinois St.

Deputies were told that the car driven by Mr. Herron collided with another driven by John McClelland, 23, R. R. 18, Mr. Herron's car then collided with one driven by Mrs. Campbell. Mr. Herron was arrested for the failure to have a driver's license.

Woman Is Injured

Mrs. Martha Miller, 53, of 1928 West View Drive suffered chest and head injuries when the car in which she was riding skidded into a railroad elevation steel pillar at Kentucky Ave. and Missouri St. last night. She was reported in fair condition today in Methodist Hospital. Her husband, C. C. Miller, 55, driver, was uninjured.

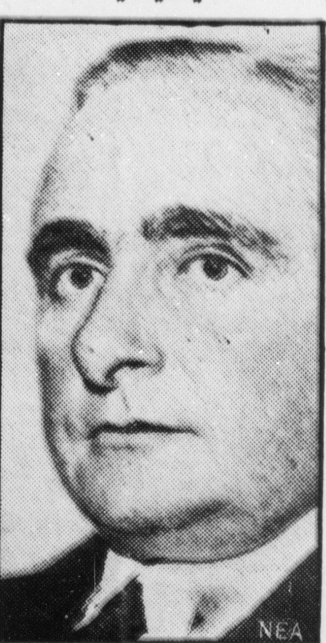
Seven-year-old Donald Brunk, 1958 N. Dearborn St., was treated in City Hospital for minor injuries after he ran into the path of a car driven by Miss Wilhelmina Hinchliffe, 46, Shelbyville, on Keystone Ave. near Fall Creek bridge.

Earl Ramsey, 31, of 2408 College Ave., was charged with drunken driving after a car he was driving crashed into the rear of a taxicab operated by Ralph Cline, 36, of 3046 N. Gale St., at 25th St. and Manlove Ave.

Mrs. Ramsey was cut over the right eye and was taken to St. Vincent's Hospital. Two taxi passengers, Grace Alexander, 18, of 2752 Wheeler St., and Esther Parkie, 21, of 2710 E. 25th St., were treated in Methodist Hospital.

Maurice Steirwald, 27, of 1135 (Turn to Page Three)

TREASURY HEAD UNDER HOOVER FOR 13 MONTHS



Ogden L. Mills

\$100,000 LIKELY IN FUND REPORT

First 1937 Community Chest Drive in Nation Is Watched.

Volunteer workers reported pledges totaling \$115,822, approximately 16 per cent of the goal, at the first meeting of the 1937 Community Fund campaign today. Of this amount \$78,375 was from the special gifts division.

Pledges for more than \$100,000 were expected to be reported by Community Fund campaign leaders at the first meeting of the 2500 volunteer solicitors in the Claypool Hotel today.

The workers have been in the field since Friday morning, seeking a goal of \$721,287 to finance the work of 38 private welfare and relief agencies next year.

The largest amount was expected to be reported by the special gifts division, headed by Harold B. Sharp. The division, which confines its solicitation to big givers, is charged with raising more than half the goal.

Norman Metzger and J. Perry Meek are directing the 600 workers who are soliciting among smaller donors.

Leaders in the national corporations division, which also was to report today, are A. W. Metzger, A. H. Whitcomb, LeRoy C. Breunig, William C. Griffith, Wallace O. Lee, Mayor Boetcher and W. H. McKittick.

"Give to meet the need" is the slogan of the campaign which is to continue until Oct. 20.

Indianapolis is the first of 450 larger cities in the country to hold community chest campaigns and organizations in other cities are watching the pace set here, campaign leaders said.

The second report meeting is scheduled tomorrow noon.

WASHINGTON POLICE ROUT ANTI-FASCISTS

WASHINGTON, Oct. 11 (U. P.).—Police today dispersed a group of Anti-Fascist demonstrators who sought to picket the Italian embassy in protest against the visit of Vittorio Mussolini, son of the Italian Premier.

Charging the group of nine demonstrators immediately after they appeared before the embassy, police seized their placards, shoved them off the sidewalk and forced them to leave the vicinity.

The demonstration, coming during the height of rush-hour traffic as thousands of Government employees went to work, was designed to protest against young Mussolini's reported intention to visit President Roosevelt.

Heart Disease Fatal To 53-Year-Old New Yorker.

HIGH IN SOCIETY

Started in Politics in His Early 20s and Rose Rapidly.

NEW YORK, Oct. 11 (U. P.).—Ogden L. Mills, former Secretary of the Treasury, died at his home here shortly before noon today.

Mr. Mills, who was 53 last August, died of heart disease.

His death was sudden and unexpected. He was apparently in the best of health and had been at his downtown office all last week.

Served as Counsel to Many Corporations

Mr. Mills was a descendant of a wealthy family of high social position. He was born at Newport, R. I., Aug. 23, 1884, at the summer home of his parents, Ogden and Ruth Mills.

He received a law education and L. L. B. degree from Harvard and started the practice of law in New York City in 1908. He became counsel to numerous large corporations and acquired directorships in such concerns as the A. T. & S. F. Railroad, Mergenthaler Linotype Co., Shredded Wheat Co. and Continental Paper and Bag Mills.

An active leader of the Republican Party and recently an advocate of rehabilitation and reorganization of the party, Mr. Mills served as an executive of the Treasury Department for six years.

From 1927 to 1932 he was Undersecretary of the Treasury under the late Andrew W. Mellon. He succeeded Mr. Mellon when the latter was named Ambassador to the Court of St. James by former President Hoover. Mr. Mills served as Secretary from February, 1932, to March, 1933.

Ran for N. Y. Governorship

He took to politics in his early 20s and became successively ward worker, Republican field captain, State Senator and United States Representative.

He served as Representative from 1920 when he entered the House on the Harding landslide, until 1926, when he ran against Alfred E. Smith for Governor of New York State and lost.

A year later President Coolidge appointed him Undersecretary of the Treasury. As Representative, he had gained a knowledge of fiscal affairs which caused the late Speaker Nicholas Longworth to say of him: "He has the best knowledge of the fundamentals of national taxation of anyone in either House of Congress."

MACARTHUR TO QUIT ARMY AT END OF '37

WASHINGTON, Oct. 11 (U. P.).—Major Gen. Douglas MacArthur, considered one of the most able of the active officers in the American Army, will retire from active service on Dec. 31, this year, the Secretary of War Harry H. Woodring announced today.

Gen. MacArthur is now in the Philippines where he has charge of organizing the national defense of the newly-created Philippine Commonwealth. He holds the rank of Field Marshal from the Philippine Government and is a Major General in the American Army.

ASH COLLECTIONS TO BEGIN OCT. 25

The winter schedule of City ash collections will go into effect Oct. 25 or the Monday following, depending on weather conditions, according to the collection department. Simultaneously with the beginning of ash collecting, the garbage collection schedule will be cut to once weekly instead of the summer routine of two collections.

Thirteen additional men and three extra trucks will be employed for winter collection.

TOWNSEND TO TESTIFY

Governor Townsend is to testify before a Senatorial Committee Oct. 30 on the necessity for a special session of Congress to consider proposed farm legislation, he announced today. The committee is to meet in Springfield, Ill.

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