

The Indianapolis Times

FORECAST: Fair tonight, tomorrow and probably Thursday; much colder tonight; lowest temperature 20 to 25; continued cold tomorrow.

FINAL
HOME

PRICE THREE CENTS

VOLUME 50—NUMBER 219

TUESDAY, NOVEMBER 22, 1938

Entered as Second-Class Matter
at Postoffice, Indianapolis, Ind.

FRIGID WAVE DUE TO STRIKE CITY TONIGHT

Temperature of 20 Degrees
Forecast, 10 Below Any
Previous Recorded.

HOLIDAY TO BE CHILLY

Warm Spell to Be Broken
With Mercury Drop
Below Normal.

TEMPERATURES
6 a. m. . . . 37 10 a. m. . . . 37
7 a. m. . . . 37 11 a. m. . . . 37
8 a. m. . . . 36 12 (Noon) . . . 36
9 a. m. . . . 36

The coldest weather of this fall, with temperatures that may go as low as 20, was predicted for Indianapolis tonight by the Weather Bureau. The cold will continue tomorrow, the Bureau said.

The minimum temperature so far this winter to now was 30, reached on Nov. 9, Bureau records show. Twenty-degree temperatures on Thanksgiving would make it a much colder holiday than last year, when the lowest recorded here was 34. There also was a trace of rain last year.

The cold wave on its way here is part of severe weather over western and northwestern states, J. H. Armstrong, meteorologist, said. There were deep snow falls in some states. Iowa temperature had slipped to 12 degrees today, and in Minnesota it was reported to be 18 degrees below zero together with eight inches of snow. At Kansas City the temperature was 20 above.

The cold wave that has produced a warm spell that has produced unusual temperatures and created a prolonged Indian summer through the Middle West generally. Temperatures for the entire month of October averaged 50 degrees above normal, and so far this month the average has been 20 degrees above normal. A 20-degree minimum tonight would be below normal.

ROCKEFELLER HEIRS SHARE SIX MILLION

NEW YORK, Nov. 22 (U. P.).—Out of the \$26,410,837 estate left by John D. Rockefeller Sr., about six million dollars remain for the beneficiaries after payment of estate taxes, it was disclosed today when transfer documents were filed. The estate that he left when he died May 23, 1937, at 97, was only a fraction of the billion-dollar fortune that he had built up. During his life he had given more than 530 million dollars to educational, scientific, religious and other projects and had been placing control of the remaining family holdings in the hands of his son, John D. Rockefeller Jr.

GLAD HE IS DEAD, SONS SAY OF FATHER

HASTINGS-ON-HUDSON, N. Y., Nov. 22 (U. P.).—Eugene Burckhalter's two sons said today they were glad he was dead because "he was no good." They said charges that his wife, 44-year-old Marie Burckhalter, helped him to commit suicide were "a lie" which they intended to disprove.

Mrs. Burckhalter was charged with manslaughter after admitting that she helped her 47-year-old husband, head of a chemical company, to arrange one of their two automobiles as a suicide chamber. She said she provided the hose from her vacuum cleaner, which led from the exhaust inside the car and that she served him with a last legnecio "his favorite drink" before he died.

3 DIE, 22 ILL IN PRISON POISONING

LANSING, Kas., Nov. 22 (U. P.).—Three prisoners at the Kansas State Penitentiary died today and 22 others were ill, 12 seriously, from drinking a solution of wood alcohol and other chemicals they mistook for a harmless beverage.

AUTHORIZES DIVIDEND

Superior Court Judge Herbert E. Wilson today authorized payment of the final 7 1/2 per cent in the liquidation of the Garfield Park Building & Loan Association. The payment amounts to \$7394. The State Department of Financial Institutions liquidated the association.

Thanksgiving Church Services Listed

Indianapolis churches will begin their observance of Thanksgiving with programs starting tomorrow. A complete schedule of both union and individual programs is on Page Two.

When Truck and Window Meet



This truck crashed through the plate glass window of a garage at 1520 N. Alabama St. today. Charles Fritzpatrick, who was standing beside the window inside the garage, was unharmed by the truck and flying glass. Edgar Durre, 1645 N. Alabama St., driver of the truck, also escaped injury. (Story, Page Three.)

NAZIS GET U.S. NOTE ON JEWS

THE JEWISH CRISIS

BERLIN—U. S. asks exemption for American Jews.

LONDON—Parliament "deplors" Nazi treatment of Jews.

ROME—Fascists say democrats also detest Jews.

EUROPE

PRAHA—Hungary expels Czechoslovaks from newly added zone.

VIENNA—War of radio stations flares over Ruthenia.

HENDAYE—Loyalists charge Nazi-Italian reinforcement of Rebels.

LILLE, France—General strike of 3600 workers called.

WASHINGTON—International Chamber of Commerce urges friendship.

OTTAWA—Military men deny defense plan with U. S.

THE FAR EAST

SHANGHAI—American group says Japan plans aggression beyond China.

BERLIN, Nov. 22 (U. P.).—The United States today delivered a new note to the German Government, asking assurances that recent decisions excluding Jews from business in the Reich would not be applied to citizens of the United States.

The American note was delivered by Prentiss Gilbert, charge d'affaires at the United States Embassy in Berlin since the recall of Ambassador Hugh R. Wilson to Washington for a report.

Nazi leaders meanwhile answered foreign proposals for relief of Jewish refugees with plans for an organization to drop thousands of persons from its relief rolls to make it the anti-Semitic program.

Propaganda Minister Joseph Goebbels summoned party officials and orators to a secret meeting at the Kroll Opera House tonight for instructions on the methods which will be used in thousands of anti-Semitic rallies being arranged for

(Continued on Page Three)

WPA WILL PARE LISTS TO MAKE MONEY LAST

'Truly Needy' to Keep Jobs;
No Blanket Cut.

WASHINGTON, Nov. 22 (U. P.).—The Works Progress Administration, it was learned today, is preparing to drop thousands of persons from its relief rolls to make it the \$1,500,000,000 appropriation last until March 1, 1939.

Administration officials said the "truly needy" would be kept on the rolls and those who have good prospects of employment would be dropped.

On Oct. 8 there was a record 3,136,116 persons on WPA rolls and more than half the relief appropriation had been spent.

Industrial areas, where re-employment has been more noticeable, will bear the brunt of the cut, it was understood, precluding any necessity of a blanket reduction. In the South and other areas where seasonal occupations predominate, the rolls will be reduced the least.

However, he will not deviate from fundamental New Deal objectives and will resist any attempt to undermine or weaken their basic principles or the agencies created by Congress to effectuate them. He believes the people spoke for that at the ballot boxes.

To keep New Deal principles alive and dominant, he is expected, from time to time, to re-emphasize his aims to Congress and the country by raising a clear-cut issue whereby he can draw the line between what he considers conservatism and liberalism, as he sought to do most recently by the so-called "purge."

What issues he will select are unknown as yet. They may include the Government Reorganization Bill, rejected by the last Congress after a storm of controversy, or some modification of it. He will have an early opportunity to raise an issue in the

appointment of a Supreme Court Justice to succeed former Associate Justice Louis Brandeis.

This is the gist of the answer to the question now being asked on every side here and throughout the country—"What will Roosevelt do?"—as gathered from talks with his advisers in the days since the election.

Only this broad generalization is possible and any forecast must necessarily be conditioned.

First, because of the unpredictable nature of the man Roosevelt.

Second, because of present disturbed conditions, both at home and abroad, which may suddenly thrust new factors into the existing setup.

The election did not change the fundamental Roosevelt. It did not "chasten" him. But it caused the New Dealers to pause and consider. In considering, they have come to the conclusion, for the most part, that it is time to "rationalize" the New Deal as one adviser put it.

This "rationalization" is expected to work itself out in several directions, including:

1. Revision of some New Deal laws, including the Social Security

Spooks? No; 'Corpse' Only Inquisitive

LOS ANGELES, Nov. 22 (U. P.).—Surprised indeed were the coroner's men today when their supposed "corpse" sat up en route to the morgue, and demanded:

"What goes on here?"

The "corpse" was David Grajeda, whose auto smashed into a retaining wall. He had no discernible pulse when picked up.

Doctors said his injury consisted of a moderate bump on the head.

FLOOR SALES HEAVY AT CITY AUTO SHOW

Warnock Says Exhibit Will
Set Record.

(Photos, Page 20)

As the 28th annual Indianapolis Auto Show reached the half-way mark today, C. O. Warnock, president of the Indianapolis Auto Trade Association, announced that all signs point to the "best selling" auto show ever held in the City.

The show, now in progress in the Manufacturers Building at the State Fair Grounds, is an international affair this year, with Mexican musicians, artists and dancers furnishing the accompaniment to the mechanical scene.

Open from 11 a. m. to 11 p. m. daily except Thursday, when the hours will be from 10 a. m. to 11 p. m., the show which began Saturday will last through Friday night.

Yesterday's attendance was reported at 5000. Special visitors today included 200 Washington High School pupils who were brought to the show in special busses.

ROOSEVELT STARTS
2-WEEKS VACATION

(Photo, Page Two)

WARM SPRINGS, Ga., Nov. 22 (U. P.).—President Roosevelt began a two-weeks vacation today at the Infirmary Paralysis Foundation here.

He had no engagements scheduled before Thursday, when he will time to time, to re-emphasize his aims to Congress and the country by raising a clear-cut issue whereby he can draw the line between what he considers conservatism and liberalism, as he sought to do most recently by the so-called "purge."

What issues he will select are unknown as yet. They may include the Government Reorganization Bill, rejected by the last Congress after a storm of controversy, or some modification of it. He will have an early opportunity to raise an issue in the

appointment of a Supreme Court Justice to succeed former Associate Justice Louis Brandeis.

This is the gist of the answer to the question now being asked on every side here and throughout the country—"What will Roosevelt do?"—as gathered from talks with his advisers in the days since the election.

Only this broad generalization is possible and any forecast must necessarily be conditioned.

First, because of the unpredictable nature of the man Roosevelt.

Second, because of present disturbed conditions, both at home and abroad, which may suddenly thrust new factors into the existing setup.

The election did not change the fundamental Roosevelt. It did not "chasten" him. But it caused the New Dealers to pause and consider. In considering, they have come to the conclusion, for the most part, that it is time to "rationalize" the New Deal as one adviser put it.

This "rationalization" is expected to work itself out in several directions, including:

1. Revision of some New Deal laws, including the Social Security

act and the Wagner Labor Relations Act; modification of WPA policy and methods to insure against any future charges of "politics in relief"; and to produce a program of more permanent and stable projects to increase the national wealth.

2. Tightening up of administration, admittedly weak in some cases, by shifting personnel, such as high as the Cabinet in at least two or three cases, and by infusing into management of some agencies administrators of the business type rather than the brain-truster type.

As for the Social Security Act, the Administration, itself, will offer some revision and expects a fight to eliminate the reserve fund and put the Social Security Act on a pay-as-you-go basis. Some New Dealers are sympathetic to the last-named policy.

Senator Wagner (D. N. Y.) is ready to offer some minor concessions on the labor act which bears his name, but the Administration will resist any far-reaching change.

Without specifying what shifts are to be made in administrative agencies, it is possible to forecast

the effort will be to get more tried and experienced personnel. The type sought is symbolized in Elmer F. Andrews, Wage-Hour Act Administrator, who for years dealt practically with a similar problem in New York State.

Another objective is to build up the Commerce Department into an effective agency for assistance to businessmen as one means of establishing more co-operation with business. Because of his youth and energy and his experience in the huge relief job Harry L. Hopkins is being groomed for this assignment. He is close to the President and can speak for him.

There is to be no general ousting of "brain-trusters." Some may go, but others are to be brought into the picture in strengthening the Administration setup in jobs where expert knowledge is required.

Advisers who are urging a rather thorough job of renovation, from the Cabinet down to key spots in various Government agencies, recognize a big obstacle in President Roosevelt's reluctance to "fire" officials. He moves very slowly on things like that.

HOUSING FIGHT TO CONTINUE IN NEXT COUNCIL

Fritz Declares Support for
Program Expected by
Incoming Regime.

DEFEATED BY 5-4 VOTE

Stanton Doubts That Funds
Will Be Available Because
Of Great Demand.

The fight to create a municipal housing authority in Indianapolis will be carried into the administration of the next City Council, Adolph J. Fritz, outgoing Democratic councilman and secretary of the Indiana Federation of Labor, announced today.

Mr. Fritz said if the present support he is counting on from newly-elected Council members is forthcoming, he has "every reason to believe the program will be successfully carried through."

However, Walter E. Stanton, State Housing Board executive secretary, said that even if the next Council supports such a program, Federal funds probably will not be available. It would require between five and seven million dollars in Federal funds, he said.

Demand Exceeds Supply

"There is about 77 million dollars remaining now that is not earmarked by the Government," Mr. Stanton said. "But by the time the next Council gets around to approving a housing authority here, I doubt very much if there will be any of this fund left. Requests are already pending in excess of this amount."

The statements of Mr. Fritz and Mr. Stanton were made today, following action of City Council last night in voting down a program for five-million-dollar local housing project introduced into Council nearly a year ago by Mr. Fritz.

The program was abandoned by a vote of five to four. Those who voted for the measure were Silas Carr, Dr. Theodore Gable, Mrs. Naomi Dowd and Mr. Fritz. Opposed were Edward Raub, Council president, Ross H. Wallace, John A. Schumacher, William A. Oren and Edward R. Keeling.

Pending 10 Months

The resolution has been pending in Council for about 10 months. In August, the Indianapolis Real Estate Board announced it was beginning to prepare a survey to be presented to Council with recommendations.

The results of this survey were to have been presented to Council by Sept. 1, Mr. Fritz said. To his knowledge, he said, no results of any such survey were ever presented.

"At the time the proposal for this survey was made, I told the Council that if they waited for it, they would never get it. And facts seem to have borne me out."

"I don't want to seem like a bad sport, but I don't think any of the majority opinion all right, but I'll say I'm going to see that another resolution is introduced."

Mr. Fritz said he believed if council hadn't waited until after election to kill the plan and had brought it up before, that it wouldn't have been abandoned.

Urban K. Wilde, executive secretary of the Indianapolis Real Estate Board, said the survey was still being made, but that certain information still was being sought.

"Frankly," he said, "I don't know myself, and I don't think any of the rest of the fact-finding body knows just when this survey will be completed. When it is, we will present it to council, regardless of last night's action."

DETROIT, Nov. 22 (U. P.).—Counsel for Mrs. Annie Laughlin Dodge, who today filed a settlement has been reached on her demands for a \$33,000 monthly widow's allowance from the estate of the late Daniel Dodge.

The amount of the settlement will be revealed later today, Paul Oren, attorney for Mrs. Dodge, announced.

Mrs. Dodge, who less than a year ago was earning \$18 a week as a phone operator, was granted \$250,000 from the 10 million dollar estate of her husband after he was drowned on their honeymoon last August. The bulk of the fortune went to his mother.

Articles of incorporation for the New India Rummy Club, an organization designed to promote interest in this card game and conduct tournaments, were filed today with Secretary of State August G. Mueller. E. D. Woodwards, Anderson, was listed as the resident agent. The organization also intends to sponsor the formation of rummy social clubs.

RUMMY UNIT FILES
CORPORATE PAPERS

Act and the Wagner Labor Relations Act; modification of WPA policy and methods to insure against any future charges of "politics in relief"; and to produce a program of more permanent and stable projects to increase the national wealth.

2. Tightening up of administration, admittedly weak in some cases, by shifting personnel, such as high as the Cabinet in at least two or three cases, and by infusing into management of some agencies administrators of the business type rather than the brain-truster type.

As for the Social Security Act, the Administration, itself, will offer some revision and expects a fight to eliminate the reserve fund and put the Social Security Act on a pay-as-you-go basis. Some New Dealers are sympathetic to the last-named policy.

Senator Wagner (D. N. Y.) is ready to offer some minor concessions on the labor act which bears his name, but the Administration will resist any far-reaching change.

Without specifying what shifts are to be made in administrative agencies, it is possible to forecast

the effort will be to get more tried and experienced personnel. The type sought is symbolized in Elmer F. Andrews, Wage-Hour Act Administrator, who for years dealt practically with a similar problem in New York State.

Another objective is to build up the Commerce Department into an effective agency for assistance to businessmen as one means of establishing more co-operation with business. Because of his youth and energy and his experience in the huge relief job Harry L. Hopkins is being groomed for this assignment. He is close to the President and can speak for him.

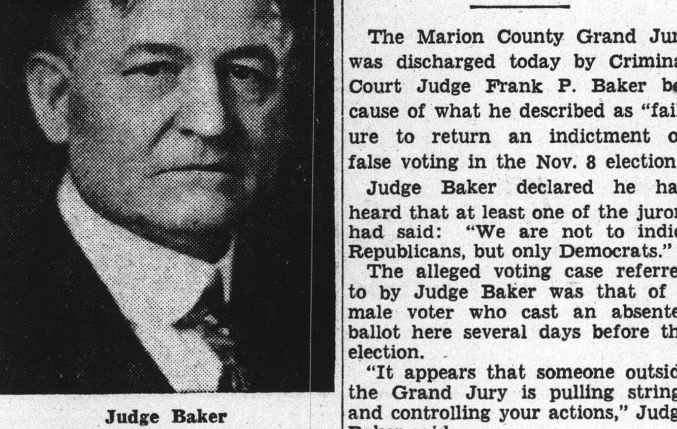
There is to be no general ousting of "brain-trusters." Some may go, but others are to be brought into the picture in strengthening the Administration setup in jobs where expert knowledge is required.

Advisers who are urging a rather thorough job of renovation, from the Cabinet down to key spots in various Government agencies, recognize a big obstacle in President Roosevelt's reluctance to "fire" officials. He moves very slowly on things like that.

SUPREME COURT GRANTS VANNUYS BAN ON RECOUNT

Baker Fires Grand Jury In False Voting Probe; Intimates String-Pulling

Judge Declares He Can't
Understand Reason for
'No-Bill.'



Judge Baker

CHIEF DEFENDS POLICE TACTICS

Upholds 'Mental Vagrancy'
Charge as Protection;
Two Women Freed.

Police Chief Morrissey today defended the right of the Police Department to hold persons under "mental vagrancy" charges after Superior Court judges ordered two prisoners released in habeas corpus proceedings.

Two women, one of whom had been held in jail seven months on "mental vagrancy" charges, were ordered released yesterday by Superior Judges Joseph Williams and Clarence Weir.

Chief Morrissey said there is no solution to the problem of having to hold suspected mentally deficient persons in jail for long periods.

"It is not a criminal procedure against these people, it merely is a humane service rendered by police to protect these sufferers against themselves and to protect the public against any violence that these people are likely to commit," the chief said.

Points to Red Tape

"We are not equipped to determine any person's sanity and under the law we are not required to do it but it is our responsibility to see that unfit persons are kept off the streets."

"Determination of a person's sanity requires considerable legal red tape and something has to be done with the suspects while their sanity is determined or until some one assumes responsibility for their safe custody."

Attorneys for the women attacked (Continued on Page Three)

FIGHT OVER DODGE
ESTATE IS SETTLED

DETROIT, Nov. 22 (U. P.).—Counsel for Mrs. Annie Laughlin Dodge, who today filed a settlement has been reached on her demands for a \$33,000 monthly widow's allowance from the estate of the late Daniel Dodge.

The amount of the settlement will be revealed later today, Paul Oren, attorney for Mrs. Dodge, announced.

Mrs. Dodge, who less than a year ago was earning \$18 a week as a phone operator, was granted \$250,000 from the 10 million dollar estate of her husband after he was drowned on their honeymoon last August. The bulk of the fortune went to his mother.

SOUTH BEND MILK
DELIVERY RESUMED

SOUTH BEND, Nov. 22 (U. P.).—Milk deliveries were resumed unexpectedly today by all South Bend dairies, thus ending a strike which started Saturday and tied up delivery of milk to 130,000 persons.

Neither union leaders nor dairy operators would make an immediate statement explaining the truce. They indicated, however, that statements would be issued shortly.

The most important reason for Mr. McNutt's change of heart, it was understood, was the status of the Democratic Party in Indiana.

In this month's election Democrats lost their former secure hold on that State, losing the Secretary of State and a majority in the State House of Representatives and re-electing Senator VanNuys only after a close and still-contested election.

That election is said to have impaired Mr. McNutt's "Favorite Son" aspirations, at least for 1940. But some of his friends insist that two years of groundwork will restore the Indiana political machine to its former efficiency and enable it to function effectively in Mr. McNutt's behalf at the national convention a year from next summer.

Some advisors, however, believe that Mr. McNutt should resign and return to Indiana in order to patch up his state machine and re-establish himself.

Should he decide against resigning the Commissioner's post, it would stall political guessers who have been trying to predict his successor.

The position is one of the most lucrative plums within the Presidential power to award. It pays \$18,000 a year, out-ranking all other Federal positions in salary except the Presidency and membership on the Supreme Court.

Frank Murphy, recently defeated Governor of Michigan, and Mr. McNutt's predecessor in the Philippines, has been prominently mentioned as a possible choice, but has said that he does not wish to return to Manila.

Willis and Circuit Judges Must Show Cause
By Dec. 1 Why Writ Should
Not Be Permanent.

G. O. P. CHAIRMAN DECLINES COMMENT

Impounding of Ballots or Appointing of
Commissioners to Make Recheck
Prohibited Under Order.

The Indiana Supreme Court today issued a temporary writ prohibiting Raymond E. Willis, unsuccessful Republican Senatorial candidate, from obtaining a recount of the Nov. 8 vote in seven counties.

The writ sustained the request of U. S. Senator VanNuys who had been certified as the winner over Mr. Willis by slightly more than 5000 votes.

Return date on the temporary writ was fixed as Dec. 1 by which time Mr. Willis and the judges of the Seventh Circuit Court must file responses to show cause why the writ should not be made permanent.

Arch N. Bobbitt, Republican State chairman, declined to comment on the temporary order. He said he would have nothing to say until the final decision was made on Dec. 5.

The writ, signed by Chief Justice James P. Hughes, specifically prohibits Circuit Court from impounding ballots, machines or records, appointing recount commissioners or permitting the filing of pleadings dealing with recount procedures.

Mr. Willis had sought to obtain recounts in Lake, Vigo, Vanderburgh, Marion, Franklin, Clark and Vermillion Counties.

An hour after attorneys for Senator VanNuys had filed petitions asking the Supreme Court to issue temporary and permanent writs, the Court heard oral arguments on the case yesterday.

Conflicting precedents and parts of law affecting the validity of State statutes dealing with recount procedure were brought out by attorneys on both sides during the arguments.

Judges Restricted

The Supreme Court's temporary writ said in part:

"Now therefore you and each of you (the Seventh Circuit Court judges) are hereby commanded forthwith to refrain from exercising or assuming jurisdiction over and proceeding further in said proceedings (Mr. Willis' request for a recount) in said Courts."

"It is further ordered that any orders entered in said proceedings be and they are hereby vacated until further order of this Court. . . Courts shall not, until further order of this Court, take any further steps in said proceedings including, but not limited to, the apportioning of the recount, the impounding of ballots, machines, records, books, returns, certificates, permitting the recount of votes, the examination of ballots, machines, records, books, returns, and or certificates, and permitting the filing of pleadings, certificates or papers of any nature in such proceeding."

Basis for the change in plans was said to be recent elections and political developments in his own state and the rest of the country.

Mr. McNutt will survey the political situation when he returns early next year for a visit, his friends said, but may keep his post at Manila indefinitely if he finds the political horizon forbidding.

A former Governor of Indiana and the "Favorite Son" of that state for the Democratic Presidential nomination in 1940, Mr. McNutt has planned for several months to return to Washington, probably in January, had been expected, however, that he would resign, after reporting to President Roosevelt on Far Eastern affairs, in order to begin an active campaign for the 1940 nomination.

He still plans to return and to remain for some time for appearance before Congressional committees considering Philippine affairs. But it was reported that he would retain his position as Philippine Commissioner until the political skies clouded for Democrats by recent Republican victories, have cleared.

"Change of Heart"

The most important reason for Mr. McNutt's change of heart, it was understood, was the status of the Democratic Party in Indiana.

In this month's election Democrats lost their former secure hold on that State, losing the Secretary of State and a majority in the State House of Representatives and re-electing Senator VanNuys only after a close and still-contested election.

That election is said to have impaired Mr. McNutt's "Favorite Son" aspirations, at least for 1940. But some of his friends insist that two years of groundwork will restore the Indiana political machine to its former efficiency and enable it to function effectively in Mr. McNutt's behalf at the national convention a year from next summer.

Some advisors, however, believe that Mr. McNutt should resign and return to Indiana in order to patch up his state machine and re-establish himself.

Should he decide against resigning the Commissioner's post, it would stall political guessers who have been trying to predict his successor.

The position is one of the most lucrative plums within the Presidential power to award. It pays \$18,000 a year, out-ranking all other Federal positions in salary except the Presidency and membership on the Supreme Court.

Frank Murphy, recently defeated Governor of Michigan, and Mr. McNutt's predecessor