

## STATE IS READY WITH REBUTTAL TO STEPHENSON

Starts Arguments Monday; Brands Ex-Klansman's Plea Ridiculous.

By NOBLE REED  
Times Staff Writer

NOBLESVILLE, Ind., Oct. 7.—Arguments by State's attorneys against D. C. Stephenson's demand for another trial in his 14-year-old murder case are expected to be completed Monday in Circuit Court here.

The hearing was adjourned yesterday until Monday after Stephenson issued an informal statement declaring "I should have been sent to prison for my political activities, but I am not guilty of this (murder) charge."

Judge Cassius M. Gentry said he would take the Stephenson new trial plea under advisement at the conclusion of the State's arguments and "probably not rule on it until after Oct. 15."

### Prepares Legal Fight

James K. Northam, deputy attorney general, who branded Stephenson's plea as "ridiculous and absurd," said he will furnish legal briefs to disprove defense contentions that the life imprisonment verdict by a jury on a second degree murder charge was illegal. Stephenson's attorneys contended that the second degree murder charge in the jury verdict was void because the indictment charged only first degree murder and that the verdict could have been only the death penalty or acquittal.

Judge Gentry interrupted the hearing yesterday to ask if the illegal verdict question had ever been raised in the Indiana Supreme Court.

The attorneys replied that it hadn't because no appeal could have been made on a "void verdict."

### Discusses Trial Charge

In the closing arguments by defense attorneys, E. E. Cioce declared that "Stephenson probably was guilty of many political misdeeds but the public is convinced he is not guilty of first degree murder."

"Stephenson was never tried for political irregularities but was tried for a crime he didn't commit," he said.

Stephenson in his statement to newspapermen said he wanted the "opportunity to prove to a jury" that he is innocent of murder.

He declined to give details of the "political activities" for which said he should have been sent to prison but said "everybody in Indiana knows what went on in politics 15 years ago and I don't have to repeat them now."

He is protected by the statute of limitations from being prosecuted on his admission of political crookedness. The statute of limitations places a time limit on prosecution for crimes less than murder.

### Have Another Avenue

If Judge Gentry overrules the defense in the new trial demand, Stephenson's attorneys still have on file the coram nobis writ which asks a new trial on the ground that Stephenson was prevented from testifying by his own defense because of threats to his life.

Hearing on this writ will be held if the judge turns down the other demand. If Judge Gentry sustains the new trial demand, the case will go back to Marion County.

## SUES FOR REFUND OF FEDERAL TAXES

Stokely Bros. & Co., packing firm at 2002 S. East St., has filed a suit in Federal Court seeking to recover \$34,710.17 in capital stock and excess profits taxes.

The total includes \$28,664.52 in taxes paid over a four-year period plus 6 per cent interest. Will H. Smith, Indiana Collector of Internal Revenue, is named defendant.

The suit alleges the taxes were collected under certain sections of the Revenue Acts of 1924 and 1926 and the National Industrial Recovery Act. These acts are "void" effect because they violate the Constitution," the suit contends.

## G. O. P. CLUB HEARS NEUTRALITY APPEAL

William F. Evans, 51 E. 36th St., addressed the Washington Township Republican Club last night on "Neutrality." The meeting was the first to be held in the new clubrooms at 61st St. and College Ave.

Mrs. Evans urged that the United States keep "a strict neutrality" during the European War.

## CAB DRIVER REPORTS FARE TOOK HIS \$9

John Spurgeon, 27, a cab driver, of 641 Ft. Wayne Ave., reported to police that a fare he picked up in the 1200 block W. Michigan St., forced him into a ditch on W. Washington St. and robbed him of \$9.

Mrs. Celia Nierman, 2041 N. Alabama St., told police some one entered her apartment last night and took \$14.55.

## PILOT, SISTER UNHURT IN PLANE ACCIDENT

CRAWFORDSVILLE, Ind., Oct. 7 (U. P.).—Lloyd Rhoades, 24, and his sister, Mrs. Ethel Allen, both of Crawfordville, escaped serious injury yesterday when their plane crashed into a tree northeast of here yesterday.

The plane was taking off and had reached a height of 30 feet when the accident occurred.

## KILLED BY HIT-RUN DRIVER

AURORA, Ind., Oct. 7 (U. P.).—Sam Moore, 36, Cincinnati, was killed last night by a hit-run driver as he walked along Highway 55 at the outskirts of Aurora.

## District Cornhusking Champ



Husking a little more than 12 bushels of corn in 40 minutes, George Gladden, of Plainfield, won the 12th district vocational agriculture cornhusking contest yesterday at the Charles Mann farm south of the city. He husked a total of 895.50 pounds of corn, and had total deductions of 99.35 pounds.

Howard Reed, of Ben Davis, placed second with 581.85 pounds and 213.15 pounds for deductions; Robert Hedrick, of Southport, ranked third with 553.05 and deductions of 76.05; Lowell Holshausen, Warren Central, fourth, with 468.94 pounds and deductions of 256.05; Emerson Bailey, Decatur Central, fifth, and William Brown of Greenfield, sixth. The finals will be held Oct. 13 at Flora, Ind.

## CIRCLING THE CITY

Inspects Marine Office—Capt. Guy B. Beatty, chief U. S. Marine Corps Recruiting Officer for this area, was here today for inspection of the Indianapolis substation in the Federal Building. Immediate enlistment with no waiting is possible at the present time, the local recruiting office announces. The Marine Corps must fill its peacetime quota of 25,000 men before Dec. 31.

Named State Sales Manager—Herbert L. Curtis, R. R. 1, Indianapolis, has been named sales manager for State Institutions, Thurman A. Gottschalk, supervisor of institutions, announced today. Mr. Curtis, former Southport, High School principal, will have charge of selling products made in penal institutions to government agencies eligible under law to buy them.

The first fall festival of the Beech Grove Lions Club will end tonight with a number of free attractions listed on the evening's program. Billie Potts, youthful rider from Greenwood, will perform with his trained pony "Babe." Also scheduled is Bill McCarthy, the Irish cowboy, with his troop of trained horses and dogs. Proceeds are to go to the community betterment of Beech Grove and to aid the blind.

Forestry Aid Takes Post—Paul A. Yost, former southeastern Indiana district forester, today assumed his duties as associate state forester with headquarters in the State House. He was named to the newly created post yesterday by H. A. Woods, state forester. He will have charge of forest management and protection.

Church Dinner Planned—The October Dinner of St. Catherine's Catholic Church will sponsor a chicken and roast beef dinner at 11:30 a. m. tomorrow in the School Hall, Tabor and Shelby Sts. A card party will follow. Mrs. Herman Grote and Mrs. Geraldine Peacock are chairmen.

Honored at DePauw—Fred C. Tucker Jr., son of Mr. and Mrs. Fred C. Tucker, 3231 College Ave., has been elected to the DePauw University class committee. He is vice president of Delta Tau Delta, chairman of the University Party and a member of Alpha Phi Omega, scouting honorary fraternity.

Adds Welding Society—Leon C. Bibber, welding engineer of the Carnegie Illinois Steel Corp., Pittsburgh, is to address members of the Indiana Section of the American Welding Society here Friday. The meeting place has not been selected.

Rehearsal for Festival—The Rev. Frank C. Huston, who will conduct the Townsend Club song festival here Oct. 18, today called a special rehearsal at 7:30 p. m. Tuesday at Cadle Tabernacle.

Cousin Tells of Riley's Life—A cousin of James Whitcomb Riley, Judge William A. Huff of Greenfield, addressed the Broad Ripple High School student body in commemoration of the Hoosier poet's 90th birthday anniversary. Judge Huff told of Riley's early life and recited several of his poems.

Three students, Martha Scott, Jack Henery and Mary Louise McClain, also participated in the program.

Honor Franklin Officers—Franklin College administrative officers and faculty members will be guests at a dinner given by the college board of trustees at the Columbus Club tonight. The dinner will be followed by an informal social hour. Indianapolis members of the trustees' board are Broderhurst, J. E. Parsons, Jesse C. Moore, Arthur W. Fesler and Charles F. Remy.

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## INDUSTRIALISTS CONFER OCT. 14 ON LABOR AMITY

Improved Relations Between Employer and Employee Convention Theme.

Improved industrial relations through better understanding of mutual problems will be the theme for the first annual Indiana Industrial Conference to be held at the Claypool Hotel Oct. 14.

The conference is under auspices of the Indiana Y. M. C. A. Industrial committee. Scheduled speakers include Governor M. Clifford Townsend, Mayor Reginald H. Sullivan, H. E. Hudson, State Y. M. C. A. chairman; Frank Hockema, assistant to the president at Purdue University, and personnel directors of Midwest industrial firms.

Winegardner Toastmaster—Charles C. Winegardner, vice president and personnel manager of the Diamond Chain and Manufacturing Co., Indianapolis, will be toastmaster at the luncheon at which Governor Townsend, Mayor Sullivan and Mr. Hudson will speak. Delegates will tour the Kinross & Co. plant at 9:30 a. m., following registration.

Mr. Hockema will give the principal convention address at 2 p. m. He will be followed by four group discussions held simultaneously on "Toward Better Relations Through: Contribution of foremen, employees, employers and labor legislation."

Chairman of the "Contribution of Foremen" group will be Ralph M. Phelps, personnel manager of the Link Belt Co. J. M. Baker, Crosley Radio Corp. personnel director, will act as leader and William H. Mead, general secretary of the Terre Haute, Ind., Y. M. C. A., will be secretary.

### Group Discussions Listed

Other groups are: "Contribution of Employees"—Chairman, E. L. Borradale, personnel and employment manager, Crosley Radio Corp., Richmond, Ind.; plant; secretary, Merrill K. Johnson of the Link Belt Co.

"Contribution of Employees"—Chairman, Paul Berger, department of trades and industry director, Anderson public schools; leader, Frank Allis, personnel director, Guide Lamp division, Anderson, Ind.; secretary, W. J. Scott, Ft. Wayne, Ind., Y. M. C. A. industrial secretary.

### Jessup to Act As Leader

"Contribution of labor legislation"—Chairman, Howard M. Dirks, Perfect Circle Co., Hagerstown, Ind.; personnel director, leader, Wilfred Jessup, Unemployment Compensation Division director; secretary, C. W. Gimbel, Richmond, Ind., Y. M. C. A. general secretary.

Charles W. Jones, Wm. H. Block Co. general superintendent, will be toastmaster for the 8:15 p. m. convention banquet to be held in the Riley Room. A. C. Horrocks, director of public relations of the Goodyear Tire and Rubber Co. of Akron, O., and executive president of the National Association of Foremen, will give the address. The convention will adjourn at 9 p. m.

## 7 FREE ON BOND IN MILK DRIVERS' ROW

Seven men, charged in affidavits with assaulting drivers of the Milk Milk Co. were not on bond today.

The affidavits charged the men specifically with assault and assault with intent to kill. Some employees of the company have been on strike for several weeks.

Charged with assault are Harold Wachter, Harry Campbell, Joe Lunsford, Carl Bauer, Isaac VanDer Moore, E. Lee Funk and Charles Bush.

Drivers alleged to have been attacked are George Ditt, 1239 N. Temple Ave., John Maxwell, R. R. 11, Box 868, Harry Dunham, R. 4, Box 554, and Raymond Schaefer, 2816 E. Michigan St.

## FRENCH CONTINUE COMMUNIST DRIVE

PARIS, Oct. 7 (U. P.).—The anti-Communist campaign continued here today with the questioning of members who have been mobilized as well as civilians, by a military commission. Among those called to the colors was Maurice Thorez, Communist Party secretary general, but he had not reported for duty and was listed as a deserter. There have been numerous raids on Communist quarters but no arrests.

Warrants have been issued, however, for two Parliamentary deputies, Arthur Rameste and Edmond Bonte. Authorities were questioning 52 deputies in connection with the formation of the workers and peasants party, allegedly a successor to the outlawed Communist party.

## ENROLLMENT GAIN SHOWN AT BUTLER

Butler University officials today announced a 10 per cent increase in enrollment for the fall semester over the same period last year.

A total of 1829 students enrolled in the university's four colleges and graduate division, 179 more than last year. The liberal arts and sciences division has the largest gain, with 104 more students.

Butler's business college has 598 and 57 enrolled in the graduate division. Undergraduates in the college of religion have been transferred to the college of liberal arts and 50 are enrolled in the graduated division of the college of religion.

## BREAKS ARM IN FALL

Charles Lucas, 9, of 1945 N. Ruckles St., fell while playing near his home yesterday and broke his right arm. He was taken to City Hospital.

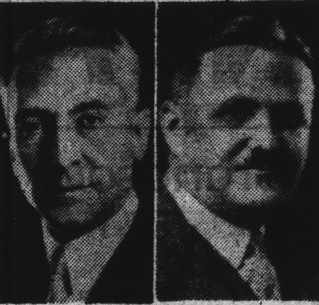
## LUGGAGE HEADQUARTERS

E. J. CAUSEPOHL  
10 CIRCLE TOWNE  
DILL

## New Officers



Roy E. Adams Walter L. Brant



Walter Fritchard A. L. Evans



Todd Stoops W. C. Patterson



Lynn Logsdon Frank D. Hatfield

## BRANT BEGINS SECOND TERM

Todd Stoops Re-elected as Secretary-Manager of Hoosier Organization.

Walter L. Brant, secretary and treasurer of the Indiana Oxygen Co., today assumed his duties as president of the Hoosier Motor Club for his second term. He was re-elected at the recent annual club election.

Other officers elected for 1940 are Frank D. Hatfield, president of the Frank Hatfield Co., first vice president; Lynn Logsdon, president and treasurer of the Logsdon Fuel & Supply Corp., second vice president; W. C. Patterson, president and treasurer of the Patterson Shade Co., third vice president, and A. L. Evans, contractor, treasurer.

Todd Stoops, secretary manager of the club was re-elected to serve his 16th consecutive term.

Directors of the club are Mr. Brant, Mr. Logsdon, Mr. Stoops, Mr. Adams and Mr. Fritchard.

Mr. Stoops has announced a 15 per cent increase in membership this year and both he and Mr. Brant reaffirmed the club's stand to work for the "protection and safety of motorists and pedestrians."

Changes are constantly being made in traffic laws," Mr. Brant said, "and organized motorists must be on the alert to see that proper laws are enacted. Taxes on the motorist are becoming onerous and they must be watched to see that they are not increased and to see that all of the motorists' tax money goes on the roads."

## EXCHANGE CLUB'S OFFICERS NAMED

C. W. Hunt was elected president of the Indianapolis Exchange Club at the annual election of officers last night at the Hotel Severin.

Col. Robinson Hitchcock, Harold E. Wells, W. A. Clabaugh and Noah Anglin were named vice presidents.

Tom S. Elrod, secretary; Walter H. Egger, treasurer; Dr. Logan Hall, John H. Jefferson and William D. Springer, board of control members. Roy C. Coats, retiring president, received two traveling bags from club members. National convention reports were given by Dr. William H. King, Bert Beasley, Z. W. Leach and Col. Hitchcock.

## CLASS TO OBSERVE HOME-COMING DAY

The C. C. C. class of the Fleming Garden Christian Church will hold its annual home-coming tomorrow at the church. The Rev. Harry W. Mount is pastor.

Dinner will be served in the recreation room following Sunday School and church services.

The class was organized 18 years ago as a young people's club. Charles Guy is the teacher and Tony Collier is president. Other officers are Charles Pierce, second vice president; Catherine Smith, third vice president; Miss Mildred Gipson, secretary, and Miss Broell Stevens, corresponding secretary.

## CHURCH DEDICATION SET

WINDFALL, Ind., Oct. 7.—The cornerstone of the new Methodist Church here will be laid in a ceremony at 2 p. m. tomorrow. The new church replaces one destroyed by fire May 30, 1938.

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## BUS SERVICE ON 2 LINES CHANGED TO FEEDER TYPE

21st St. and Ritter Ave. and 16th St. and Emerson Ave. Routes Affected

The 21st St. and Ritter Ave. bus and the 16th St. and Emerson Ave. bus will be replaced by feeder buses as the result of a petition presented by the East 21st St. Civic League, the Indianapolis Railways, Inc., announced today.

A speedup in service and lower fares will result from the move, company officials said. The feeder buses will meet the Brookside and E. 10th St. trackless trolleys. A 54-cent token fare will be charged with a free transfer to the trolleys, the company said. Buses will run every 15 minutes during rush hours and at 30-minute intervals at other times.

The fare now is 10 cents with service every 40 minutes to an hour. Service will begin as soon as the Works Board and the Public Service Commission approve.

The company's action followed a meeting yesterday when a delegation from the League presented a petition to company officials. Representing the League were Oscar Butler, president; Glenn Hanna, business manager; Alvin Stoneburner, Paul Christenberry, Mrs. Mary Kramer, Miss Regina Kramer, secretary; Mrs. Ruel Taylor and Mrs. Heman Garvin.

Representing the Railways Co. were Charles Chase, president; James P. Tretton, vice president, and Evan Walker, transportation manager.

## RILEY BIRTHDAY SERVICES ENDED

Special Broadcast Made From Therapy Room Of Hospital.

A special radio broadcast of James Whitcomb Riley poems from the occupational therapy room of Riley Hospital today closed the observance of the 90th anniversary of the Hoosier poet's birth.

All children who were able gathered in the broadcasting room for the program. One read the poem, "The Raggedy Man," while several students from the Arthur Jordan Conservatory of Music read other poems.

The broadcast also observed the 15th anniversary of the founding of the hospital. It was sponsored by the Indianapolis Public Library.

Dr. William Lowe Bryan, president emeritus of Indiana University, spoke yesterday in the poet's honor at exercises on the lawn of the Riley home on Lockerbie St.

The program was conducted by the Clemens Vonnegut School and included songs by the Tech High School Glee Club, and the Vonnegut School pupils, depicting incidents in the poet's life.

Dr. Bryan placed a wreath on the Riley tomb at Crown Hill Cemetery, following the program.

## STATE OFFICIALS' WIVES ARE FETED

The Marion County Democratic Women's Club last night entertained wives of State party officials at a 600-table card party in the Claypool Hotel.

Among the honor guests were Mrs. M. Clifford Townsend, Lieut. Gov. Henry Schriker and Mrs. Schriker, Mrs. Samuel M. Ralston, national committeewoman; Mrs. Sanford Trippett, Democratic State vice chairman; Mrs. Frank McHale, Mayor Reginald H. Sullivan and Fred F. Bays, Democratic State chairman.

Mrs. Ira Haymaker and Mrs. John Bingham were chairmen of the party and Mrs. Robert Westall was ticket chairman. Mrs. Tilden Greer is club president.

## TRIAL OF SHIDELER WILL OPEN JAN. 8

William A. Shideler is to be tried in Federal Court Jan. 8, on a charge of violation of the Security and Exchange Commission Act, using the mails to defraud and of conspiracy to use the mails to defraud.

The trial date was set yesterday by Judge Robert C. Baltzell. Shideler is in jail in default of \$25,000 bond. He changed his plea from guilty to not guilty. His father, Frederick W. Shideler, pleaded guilty to similar charges. He was sentenced to serve seven years in prison and was fined \$5000.

## COBURN SEATED AS STAMP CLUB HEAD

Harry H. Coburn, 3340 Park Ave., was installed as president of the Indianapolis Stamp Club at a meeting last night in the Hotel Antlers.

Other new officers are W. F. Feitz, vice president; Mrs. A. F. Stitzel, secretary; Joe Zik, treasurer, and Horace Currier, Floyd Shockley and Dr. J. W. Thom, executive committee members.

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