

The Indianapolis Times

FORECAST: Occasional showers tonight; tomorrow mostly cloudy with not much change in temperature.

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FINAL
HOME
PRICE THREE CENTS

Jugoslavs Ask Non-Aggression Pact Instead Of Axis Alliance

5 TO 8 ITALIAN WARSHIPS ARE SUNK

COX PLEDGES RULING TODAY ON GOP LAWS

Suit 'Just Politics,' Says Gause; Fund Tieup Feared
By Beamer.

By VERN BOXELL

Republican attorneys, fighting a Democratic plea for an injunction blocking their State "decentralization" program, told Circuit Court Judge Earl R. Cox today that this is "just a political fight and not a justifiable controversy."

At the noon recess, Judge Cox announced he would rule on "this injunction, one way or another, by midnight tonight." He advised attorneys that if they have any motions or pleadings to file, "you'd better file them now because this case must be closed today."

He explained the law giving Republicans the right to appoint an interim Attorney General becomes effective after midnight tonight.

F. C. Gause, G. O. P. attorney, said no controversy could exist until the appointments to State offices were made by the G. O. P.-dominated boards created by the Legislature. An injunction order, he said, would make it impossible for the issue to be created.

"No decisions can be found in which any court ever enjoined an appointment or removal of an officer," Mr. Gause said.

'Not Fooled,' Says Court

"This action is just an attempt to give one party to a political dispute an unfair advantage over another."

Arthur L. Gilliom, chief counsel for the Republican state officials, named defendants in the suit, said the injunction procedure "is merely an attempt by the Governor and those under him to protect their political pie. On our side these state officials want to appoint men to these same jobs—but this call that political pie, too. But this bench is not a pie counter."

Judge Cox interrupted:

"Don't think I've been fooled by it, do you?"

Claims Millions Involved

Attorney General George Beamer, who brought the injunctive action in the name of the State, said millions of dollars in Federal and State funds would be tied up unless the G. O. P.'s "decentralization" program is delayed until the three suits filed by Governor Schricker have been decided.

He contended the G. O. P. legislative program merely was an attempt by the General Assembly to remove State officials without the proper impeachment proceedings.

"This injunction," he said, "is sought to prevent a breakdown of our State government."

"Even if the State has no property rights involved as the defendants claim, it still has the right to seek injunctive relief from the courts."

Cites Federal Tax Case

"However, we contend that the state does have property rights involved. Representatives of the Attorney General's office, which is to be abolished at midnight tonight, are in Washington today to appear before the U. S. Supreme Court in cases involving thousands of dollars in gross income tax collections. Although on the calendar for today, the cases probably will not be heard before tomorrow or later."

By that time, unless the injunction is granted, he said, they may not be legally entitled to represent the state.

A temporary restraining order was issued by Judge Cox last Thursday and today's hearing was to determine whether the order should be extended until the Supreme Court has ruled on three suits filed by Governor Schricker, now awaiting action in Circuit Court.

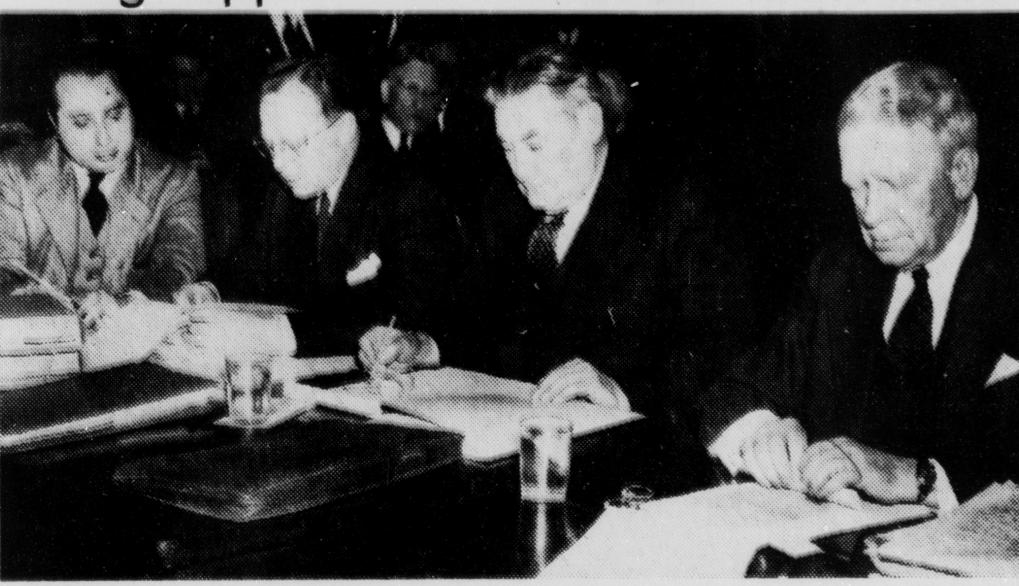
BRITISH SPEND 14 BILLIONS
LONDON, March 31 (U. P.)—Great Britain's spending for war and normal government purposes totaled \$3,867,245,970 (about \$14,468,982,680) in the fiscal year which ends at midnight tonight, it was announced officially.

WOMEN DRIVE TAXIS

HONOLULU, March 31 (U. P.)—Taxicab companies, faced with a shortage of men in the defense industry boom, are hiring women drivers. Four, dressed in slacks and blouses, are already at work.

TIMES FEATURES ON INSIDE PAGES

'Big Ripper' Battle Moves Into Court



Here's a part of the battery of legal talent facing Circuit Court Judge Earl R. Cox today during a hearing of Governor Schricker's suits to block the Republican "decentralization" program. In the group (left to right) are Deputy Attorney General James Northam; Attorney General George Beamer; Deputy Attorney General Warren W. Martin and Fred Gause, G. O. P. counsel.

MARTIN NAMED HEAD OF BOARD

Succeeds to Fox Vacancy in Industrial Group; Probation Unit Selected.

Warren W. Martin, deputy attorney general since 1935, today was named chairman of the State Industrial Board by Governor Schricker.

He succeeds Charles Fox, Terre Haute attorney, who was killed recently in a traffic accident. The appointment came as Mr. Martin was appearing in Circuit Court here as one of the attorneys for Governor Schricker in his suits to block the Republican "decentralization" program.

Governor Schricker also appointed a new bi-partisan State Probation Commission. The Republican members are Eugene Foster, Indianapolis, and Mrs. Elizabeth Burton, Rockville. The Democratic members are Mrs. Mabel Fogel, Brookville, and McFarland Smith, Kokomo.

Elects Chairman Soon

The commission will meet soon to elect a chairman. Retiring members of the commission are Colon C. Vial, Indianapolis; Mrs. E. B. Bender, Zionsville; William Boggs, Veedersburg, and Mrs. Sara Ritter, Hartford City.

Mr. Martin, who is 49, has been practicing law at Bonville since he was honorably discharged from the U. S. Army in 1918. His son, Warren W. Martin Jr., maintains his office at Bonville.

Mr. Martin served two terms as prosecuting attorney of Warrick County. He was elected judge of the Warrick Circuit Court in 1934, but was deprived of the office as a result of a contest of his election. He is married and has seven children.

As head of the Industrial Board, he will receive a salary of \$4,000 a year. He has been receiving \$3,600 a year as deputy attorney general. State House observers believe (Continued on Page Two)

LABOR SUMMARY

LABOR DEVELOPMENTS:

1. Shutdown in Appalachian and Midwestern mines, including Indiana's feared at midnight as coal parity in New York continues in deadlock. (Page 6.)

2. Mediation Board arranges settlement in all four cases referred to it by Labor Department Thursday. (Page 3.)

3. Auto-Chalmers strikers refuse request of OPM to return to work but officials claim that more than 3,000 reported for work today. (Page 3.)

4. Civil Liberties Committee critical of "Little Steel" industrialists. (Page 3.)

3 MORE DIE IN COUNTY TRAFFIC

Deaths, Now 42, Top Last Year's by 20; Four Others Killed in Indiana.

Three more died in traffic accidents here over the week-end, sending the Marion County toll for the year to 42—20 more than last year.

At the same time, four other motorists were killed in the state. The dead:

LEWIS V. ZANDER, 21, of 25 N. Chester St., killed yesterday morning in a two-car crash at 21st St. and Emerson Ave.

RALPH REEVES, 20, Kokomo, killed almost instantly in a two-car crash on Road 67 near the Post Road at 2:30 a. m. yesterday.

ROBERT ALLEN PEARCE, 6 weeks old, Martin, Tenn., injured fatally in the same accident.

JOHN GILLEY, 26, Washington, dead of injuries in a collision at Tuesday night.

CHARLES ZERKEL, killed instantly when his car was struck by a New York Central train at Waterloo.

PAUL BUCKIO, 20, Terre Haute.

MISS STELLA HUNGILMAN, 75, killed at Terre Haute as she crossed the street.

Several others were injured seriously in city and county accidents over the week-end, including John W. Hilkene, 30, former postmaster at Cumberland.

Mr. Reeves and the Pearce infant were injured fatally when cars driven by Mr. Reeves and the infant's father, Allen Pearce, collided (Continued on Page Two)

GRIFFEY CHOSEN FOR COUNTY SCHOOL POST

Succeeds J. Malcolm Dunn

As Superintendent.

Deaths, Now 42, Top Last Year's by 20; Four Others Killed in Indiana.

Harvey F. Griffey, 317 N. New Jersey St., was selected Marion County School Superintendent by the County Board of Education to-day.

Mr. Griffey has been on the faculties of Marion County schools for 40 years and for the last year has been principal of the Flackville grade school.

Previously, he was principal of the Fleming Garden School and has been a teacher in other county schools. He succeeds J. Malcolm Dunn, who resigned to enter U. S. military service under a reserve officer's commission.

Mr. Griffey was selected to fill Mr. Dunn's unexpired term, which ends next August. At that time the County Board of Education will select a superintendent for a four-year term. The salary of the office is \$3,600 per year.

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