

SINGAPORE BEATEN BY COMPLACENCY

Legion of 5th Columnists
Also Helped Japs to
Quick Victory.

(Continued from Page One)

guns when our men are mowed down whenever the Japanese feel like it?"

Nevertheless, the Imperials fought bravely and skillfully and might have held out if even part of the often-promised allied aerial reinforcements had arrived.

Complacency Appalling

The complacent refusal of the colonial bureaucrats to recognize the obvious was appalling.

On April 18, 1941, almost eight months before the attack, I wrote a dispatch that the jungle of the Malay Peninsula, did not, in the opinion of military men, offer sufficient protection against an attack on Singapore from the rear. The military censor at Singapore approved the dispatch only because, as

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ANNEXATION OF SUBURBS URGED

Consultant Also Prescribes
Unified Government for
'Growing Pains.'

(Continued from Page One)

either burn low volatile coal or install stokers," he said. "Voluntary co-operation plans have never worked anywhere."

"St. Louis came to it first. Pittsburgh is coming to it by degrees. They are abating smoke successfully."

In a master plan where City and County governments are consolidated, or at least co-ordinated, there is no place for the archaic township system, he said.

"Your City is passing through a phase of development which a great many cities already have experienced," Mr. Reed continued. They haven't solved the blight and suburban problems, either. Maybe you will.

Predicts Annexation

"Ultimately, I think, you will come to the obvious and practical solution — governmental consolidation and annexation all over the metropolitan area. But it may not be until after a long time and a great deal of trouble."

Mr. Reed said that hope of property owners in blighted areas that someday business or industry would buy in and rescue them from the predicament of holding once-valuable but now worthless property was a vain hope.

"Business never occupies more than 6 to 8 per cent of the municipal area," he said. "Indianapolis business and industry probably exceeds that percentage somewhat, but it can't go much beyond it."

Must Revise Streets

"Where your blight has progressed far, you must remodel—revise your street plan, remodel buildings and homes—make blighted areas desirable again. It can be done and it's the only way to save valuation."

"The reclamation of blighted property must be accompanied by intelligent zoning of developments in the suburbs, the consultant warned. Otherwise, your suburbs may become only the blighted areas of the future, he said.

Extends Services

"The extension and improvement of municipal services—sewers, streets, recreation, police and fire protection—all these things must be done by a unified governmental setup."

"There is a good deal of opinion that a City manager can do the job better than the Mayor-Council form of City government. That may be. I do think that a progressive Mayor-Council government can do the job and will do it if the citizens demand it."

'COME ON DOWN HERE,' MIAMI BEACH URGES

MIAMI BEACH, Fla., Feb. 17 (U. P.).—The city of Miami Beach today urged families in Akron, O., Baltimore, Buffalo, Camden, N. J., Mobile, Ala., and Pontiac, Mich., to rent their homes to defense workers and to come here and live on the income.

City officials said they intended to launch an extensive radio and newspaper advertising campaign in the six cities where there are acute shortages of houses for defense workers.

The program would serve the defense effort and at the same time give families in these cities an opportunity to live modestly in a resort area, the sponsors of the plan said.

FLAG WILL BE GIVEN AUDUBON SCHOOL 38

Members of Brightwood Chapter, Daughters of America, will present a flag to Audubon School 38, 2050 Winter Ave., at 1:45 p. m. tomorrow, an hour earlier than previously had been arranged.

Mrs. Elva McVey, council member and past state councillor of the D. of A., will present the flag, which will be accepted by Mrs. H. T. Kern, school principal. A program by the P.-T. A. will follow.

Mrs. Jessie Bernlohr is chairman of arrangements.

JUROR IS CITED ON CONTEMPT CHARGE

The first case in many years in which a juror was cited for contempt of court for failing to appear was heard in Municipal Court 2 today.

The juror, Victor Osborne, 1125 S. Illinois St., allegedly left the city during the hearing of a lawsuit in Municipal Court 2 more than a week ago, causing a mistrial. The juror, if convicted, would be subject to a jail sentence or fine.

GARFIELD GOP CLUB TO GIVE CARD PARTY

The Garfield Republican Club will give a card party at the Odd Fellows Hall, Olive St. and Cottage Ave., at 8 tonight.

Proceeds will be used for maintenance of the club rooms. Sam Walker is president of the club. Mrs. Ida Beynon, treasurer, is in charge of ticket sales. Miss Anna Hertz is chairman of the committee on table-prizes.

WAKE UP YOUR LIVER BILE

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Get a package today. Take as directed. Effective in making bile flow freely. Ask for Carter's Little Liver Pills. 10¢ and 25¢.

Willpower Was Impaired, Mrs. Payne to Tell Jury

By JOHN L. BOWEN
Times Staff Writer

BLOOMINGTON, Ind., Feb. 17.—Jurors hearing evidence in the first-degree murder trial of Mrs. Caroline G. Payne, opening here Thursday in Monroe Circuit Court, will be asked by her attorneys to distinguish between a "diseased mind" and a "will overborne by ungoverned passion."

Defense counsel contends that there is a legally important difference.

It is the bastion from which they will fire their rhetorical broadsides in an effort to free Mrs. Payne from charges that she killed her one-time fiance, Charles O. Mattingly, Indianapolis, attorney-examiner for the Indiana Public Service Commission.

Shot While at Supper

Mattingly was fatally wounded shortly before 10 p. m. on the night of July 5, 1940, by five .380 caliber bullets fired through the kitchen window at a Bloomington home where he and his wife were taking dutch supper with friends.

The State accuses Mrs. Payne, a power in Bloomington political and business circles, of firing the five shots.

Youthful prosecutor Sylvan Tackitt, who announced today that he will demand life imprisonment for Mrs. Payne, will charge that the shooting grew out of her jealousy over Mattingly's marriage to Lorraine Oberholzer, his secretary.

This marriage occurred on May 5, 1940, months after Mattingly and Mrs. Payne had broken a romantic relationship of many years.

Claims Mind Unsound

On Feb. 7, defense attorneys Q. Austin East and J. Frank Regester filed a special plea on Mrs. Payne's behalf. Consisting of only 37 words, it reads:

"The defendant herein for special plea herein, says that at the time of the alleged commission of the alleged offense as charged against her in the indictment in this cause, she was a person of unsound mind."

Yesterday, Mrs. Payne underwent 21 minutes of examination by two court-appointed alienists. Dr. Albert L. Crane, proprietor of Clearview, private sanatorium near Evansville, spent ten minutes with Mrs. Payne testing her sanity for the prosecution. Dr. Russell LaBlair of Terre Haute, defense psychiatrist, spent eleven minutes in Mrs. Payne's cell.

Both doctors refused to comment on their findings.

Mrs. Payne granted this writer a brief interview after the alienists' departure.

Gracious in Interview

Pointedly but with inherent graciousness, she turned aside questions regarding the coming trial but confessed to a "little nervousness."

"I'm sure," she said, "that you would be, too, if you were in my shoes."

A grateful smile lighted Mrs. Payne's face when she was told that "you look charming despite the wear and tear."

It was a smile marred by a single imperfection, the absence of three of Mrs. Payne's upper left teeth.

The missing teeth, as well as a



Mrs. Caroline Payne

livid two-inch scar oftentimes discernible in her forehead, are the result of an auto accident she and Mr. Mattingly suffered on Jan. 29, 1937. This accident, defense counsel says, was the first event in a series that ultimately led to the "deliberate killing" of Mrs. Payne by Mr. Mattingly.

Reach Into Old Rulings

Worry over her accident injuries and her subsequently shattered romance produced a condition of unsound mind which relieves Mrs. Payne of responsibility for "the alleged commission of the alleged offense" on the night of July 5, her attorneys maintain.

To buttress their pleading, Mr. East and Mr. Regester have reached into Indiana Statutes and Indiana Supreme Court rulings as far back as 1911.

To counteract a prosecution contention that Mrs. Payne could distinguish between right and wrong, defense will submit a Supreme Court ruling in the case of Plake vs. State (Page 433) 121 Indiana Reports, 1911. In this case, the court said:

"A person may have sufficient mental capacity to know right from wrong and be able to comprehend the nature and consequence of his act, yet be not criminally responsible for his act; for if the will power is so impaired that he cannot resist an impulse to commit a crime, he is not of sound mind."

Claim Mind Diseased

"If the lack of will power is the result of a diseased state of mind, there is mental unsoundness within the meaning of the law; but if the will is simply overborne by ungoverned passion, there may be criminal responsibility."

Says the defense: Mrs. Payne is mentally unsound because of a diseased mind brought about by physical and emotional anguish.

Says the prosecution: Mrs. Payne's will was "simply overborne by ungoverned passion."

BARBER PRICE FIXING DELAYED

Court Issues Temporary
Restraint Against New
State Rules.

A temporary order restraining the State Barber Board from enforcing its recent price and hour regulations in 20 Indianapolis barber shops has been issued by Judge Russell J. Ryan of Superior Court 3.

The order was issued pending a hearing March 2 on a suit brought yesterday by 20 barbers who are members of the Indiana Independent Barbers Association.

Halts Enforcement Today

The State Barber Board's regulations, fixing minimum prices for haircuts and shaves at 50 cents and 25 cents respectively was to have gone into effect in Marion County yesterday. The Board is empowered to fix minimum prices and shop hours under 1939 and 1941 laws.

The injunction suit, similar to actions now pending in 14 other counties of Indiana, charged that the prices and hours regulations are "unreasonable and detrimental" to the business of the 20 plaintiffs.

Clay Order Permanent

A permanent injunction against enforcement of the regulations in Vigo County was issued recently in Clay Circuit Court.

Barbers who brought the suit here included Frank M. Stiers, Henry A. Hollingsworth, Emil H. Mertz, Earl C. DeFord, Max A. DeFord, Lon B. Godby, Ben Cosand, Floyd E. Trees, Harold M. Ridge, Aaron L. Newby, Paul D. Price, William O. Rushton, Pat C. Andrews, Howard E. Weld, Daniel C. Pierson, William K. Pierson, Von Arnot, William B. Russell, Leo L. Landers and Roy Kazee.

SKI TROOPS TO TRY WINGS

ALTA, Utah, Feb. 17 (U. P.).—America's first para-ski troops will try their wings late this week at this 10,000-foot Wasatch Mountain resort.

HOOSIER KILLED BY TRAIN

ST. WAYNE, Ind., Feb. 17 (U. P.).—Enno T. Rolfe, 52, prominent coal merchant in St. Wayne, and president both of the Colonial Oil Co. of Indiana and the Progressive Oil Co. of Michigan, was killed instantly last night when he was struck by a Milwaukee road passenger train as he walked along the track near Wauwatosa, Wis. He had been a patient at the Wauwatosa sanatorium.

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