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60th YEAR—NUMBER 68

The Indianapolis Times

FORECAST: Showers early tonight and cooler. Partly cloudy tomorrow. Low tonight 55, high tomorrow 72.

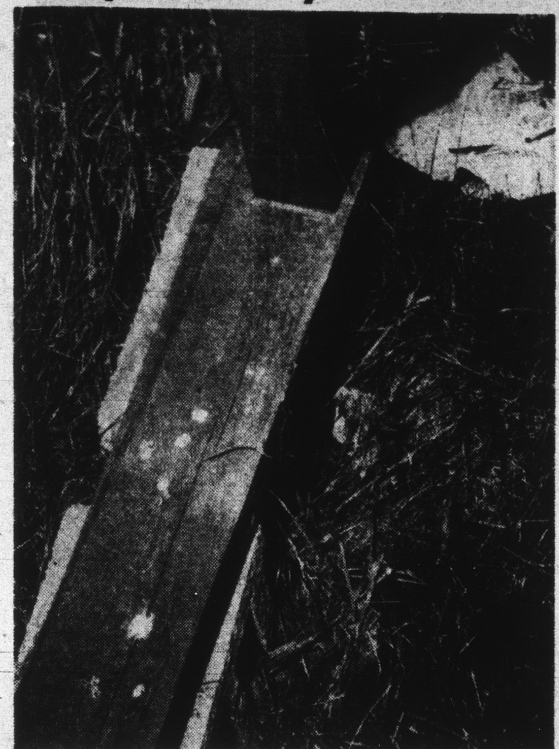
THURSDAY, MAY 19, 1949

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

FINAL
HOME

PRICE FIVE CENTS

Battle Time, Termites In Speedway Stands



Neither the timbers nor the cement block beneath this support are in line.

Everything Possible Is Being Done To Prevent Another Bleacher Collapse

By VICTOR PETERSON

Everything possible is being done before race day to avert a repetition of last Saturday's collapse of Grandstand B at the Speedway, but the job is a mammoth one.

The wooden grandstands are old, built long before present rigid specifications were demanded. Time, termites and the elements have taken their toll.

Even the relatively recently constructed wooden grandstands of the infield are in need of repair.

Overloading of a box seat section is the official explanation of the qualification day tragedy which injured 34 persons. Officials assert it will not happen again.

Joe Quinn, safety director of the 500-mile track, said an additional 40 carpenters have been hired to assure the stands will be in tip-top shape by race day.

Augment Normal Staff

"We have a normal staff of some 45 to 50 maintenance men and carpenters, but have augmented it since the accident Saturday," he said.

"We will be working right up to the time of the race. After every crowd has been here, we make a thorough check of the stands. If we find a loose or bad board, we repair it immediately.

"We have complied with every request of the state to assure safety," Mr. Quinn said.

Without escort, I roamed through the wooden stands and probed beneath them.

Total Inspection Impossible

It would be impossible to inspect every piece of timber in the rambling stands and repair those in bad shape before race day, unless thousands of men were employed.

Since the first of the year, six state inspectors have worked almost constantly checking the stands. They say it would take 100 men three months to do a thorough job.

Surface inspection consisted of walking with a bouncing step down one row of seats while looking at the row on either side. Consequently, only one-third of the rows even got the bounce-walk test.

I walked gingerly in several places as I felt flooring sag beneath me. Much of the wood is rotting about the nails. Evidence of rot is abundant. It is possible, however, that the timber still has great structural strength.

Much Has Been Done

Yet, in the area which collapsed, I saw workmen hit timbers with hammers and saw the wood pulverize under the blows. The rest of Grandstand B is no newer than the section which crumbled. In recent years much has been done by Speedway management to reinforce the stands. State officials admit the owners of the famous oval have complied with every demand. They have done much on their own, maintaining inspections and adding improvements not requested by the state.

Speedway plans, already in operation, call for the replacement of one wooden stand each year with a steel and concrete structure.

Evidences of Insecurity

Meanwhile, the race continues and crowds of more than 100,000 jam the track each year.

Timber in the parquet stands appears to be sound. However,

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Judge Refuses New Trial in Assault Case

Upholds Conviction In Attack Against Times Photographer

Ruling that the right of privacy does not exist in matters of public interest, Judge Saul J. Rabb of Criminal Court 2, today refused a new trial for two officials of a local animal-by-products company convicted recently of assaulting a photographer of The Indianapolis Times staff.

Judge Rabb, in a nine-page opinion covering the subject of private rights in relation to public peace, overruled a motion for a new trial filed in behalf of Harold Jackson, manager of By Products, Inc., and Harry Stille, attorney and official of the firm. The company officials were convicted of assault and battery two months ago in Municipal Court 3 by Judge Joseph Howard who fined them \$25 and costs each. Six weeks ago Judge Rabb upheld the lower court's conviction but reduced the fines to \$1 and costs each.

Found Guilty of Assault

They were found guilty of assaulting Henry E. Giesing Jr., Times photographer, when the latter went to the defendants' place of business at the Union Stockyards to take pictures of animals on the firm's property. The photographs were part of a story dealing with criminal charges that company officials were mistreating animals.

Judge Rabb's ruling stated: "The right of privacy in connection with the publication of pictures under certain circumstances involving public interests does not exist in the law."

"Public peace is a superior consideration to any one man's private property. If individuals were once allowed to use private force as a remedy for private injuries, all social justice must cease."

"The strong man would give law to the weak and every man would revert to a state of nature."

In their motion for a new trial, the defendants contended they had a right to use force as the right of privacy and that their property was invaded illegally. Judge Rabb said "this court has made a thorough study of this subject and finds that those rights were not invaded" under the general interpretation of the law.

Peace is superior to any one man's private property."

City Hospital Fund Is Bare of Cash

City Hospital went broke today and had to borrow to meet its payroll.

There was "not a dime" in the Health General Fund to meet the hospital's \$57,500 payroll tomorrow, a city official disclosed.

However, prospects for payroll for hospital employees improved when County Auditor Ralph Moore ordered County Treasurer Louis Fletcher to advance the hospital fund \$60,000.

City and county officials said the funds were deposited in the Health General Fund. But city officials privately condemned financial errors which left the hospital fund empty.

"Just Bookkeeping" City officials said at first the shortage was "just a matter of bookkeeping." Upon closer scrutiny, however, it was disclosed that unless funds were obtained elsewhere immediately, there would be no payroll at the hospital tomorrow.

Although the crisis was temporarily solved, city officials were asking "how come it happened?" Mayor Feeney said he believed the empty hospital fund was largely due to the fact that hospital officials and anticipated receiving more revenue than they are now getting.

Other officials said the hospital board had "probably underfunded their budget." They explained that the transfer of funds was "not unusual" since the revenue was slated for the hospital fund in the future.

Gas Heating Restrictions Lifted in 2 State Areas

Greensburg, Vincennes Sections Affected; PSC Expected to Lift Bans Elsewhere

By ROBERT BLOOM

The Public Service Commission today lifted all restrictions on the use of gas for home heating in two Indiana areas and was expected to act on other sections of the state within a few days.

All space heating restrictions were removed in the Greensburg and Vincennes areas. Restrictions have been in force against new home installations of gas heating and other types of space heating since 1946.

The Greensburg area is served by the Indiana Gas & Water Co., which has obtained additional supplies of gas from the Big and Little Inch pipe lines of the Texas-Eastern Gas Transmission Corp.

The Vincennes section is served by the Hoosier Gas Co., which will be able to obtain a sufficient supply of gas for all space heating purposes from new gas wells in the area.

The commission's action followed a recent conference with representatives of the gas industry who recommended an 8-point program for the removal of the two-year-old restrictions.

The industry committee proposed full lifting of restrictions in these two areas and the lifting of restrictions on space heating of one-family homes in most other parts of the state.

A spokesman said the commission would determine within a day or two what action would be taken as to other areas of the state.

New Driver Crashes Wall At Speedway at 110 MPH

Guardians of Atomic Energy Put on Spot By Congress Group

Investigating Committee Asks if Loss Of U-235 Was 'Carelessness or Espionage'

By TONY SMITH, Scripps-Howard Staff Writer

WASHINGTON, May 19—The Atomic Energy Commission was on a spot marked "carelessness or espionage" today.

That issue was in doubt. But the embarrassment of Commission Chairman David I. Lilienthal and other members of the atomic

How Dumb Can You Get? ... An Editorial

AEC-subsidized student Hans Friestadt admits he is a Communist but says he would quit the Communist Party if he believed it to be under foreign control.

How can anyone that stupid ever win a scholarship? Even an AEC member should know that the Communist Party is controlled from Moscow.

energy guardians was an established fact. They squirmed through four hours of congressional questions about a lost container of U-235 at the Argonne Laboratory near Chicago.

There was a lot of technical explanation in the closed hearing room of the Joint Congressional Atomic Energy Committee. According to men who heard Chairman Lilienthal, commission mem-

AEC assures Congress atomic fellowships will be barred to Reds ... Page 5.

ber Lewis L. Strauss, General Manager Carroll Wilson, and two men from Argonne Laboratory very little of it was conclusive.

The scene in the hearing room wasn't quite cozy. Questions came with speed and bluntness. They weren't easily disposed of with talk of residues, containers, clinical values, incomplete reports, continuing analyses, and faulty accounting.

Didn't Say Much

Chairman Lilienthal didn't have much to say, according to witnesses. He sat back and let his staff do the explaining. Manager Wilson directed the team, channeling questions to whichever man he thought could answer.

One member said that many of the questions directed at Mr. Lilienthal drew this reply:

"Why, yes. Mr. So-and-so will explain that."

But most of the time, this member said, the man selected couldn't produce.

Rep. W. Sterling Cole (R-N.Y.) said the explanations were incomplete and far from conclusive.

Other Members Agree

Other members of the joint congressional committee agreed. Most of them emphasized that Chairman Brian McMahon's statement which indicated that the committee was satisfied that there was no espionage involved, was strictly his own.

Chairman McMahon announced that action on the whole question was deferred pending further investigation particularly with respect to the accounting system which would permit such a situation to develop.

The U-235, an element which is the heart of the atom bomb, was missing from the Argonne Laboratory at Chicago. One newspaper account said three-quarters of a pound of a U-235 compound was gone. The commission said it was only 32 grams of U-235. It said it had recovered 25 grams by analyzing waste material. So only seven grams were missing.

But, Rep. Cole pointed out, that was 7000 times the amount of U-235 which the British scientist, Dr. Allan May, turned over to a Russian agent in Canada in 1945.

The Russians thought it was so important they flew it to Russia in a special plane. The Canadians thought it was so important that Dr. May is serving 10 years in prison.

The identity of the man who turned the uranium over to Dr. May never has been revealed. But it's assumed by federal officials that the sample came from Argonne. That installation had the only supply available at that time.

Question Legality Of Hospital Plans

Decision Sought On Community Basis

The state insurance commissioner said today he had asked Attorney General J. Emmett McMahon for an opinion on the legality of community-wide membership solicitations by the Blue Cross and Blue Shield hospital and medical insurance plans.

Mr. McMahon said he would hand down his opinion shortly.

Commissioner Frank J. Viehman said the principal question was whether a community could be considered a "group," and enrolled as such by the insurance organization.

Guy W. Sprigg, a Blue Cross spokesman, said his organization had told leaders of a community that if a cross-section of the population, equal to at least 60 per cent, wanted medical insurance, the community would be accepted as a Blue Cross group.

"We do not issue a master policy to a company whose employees are covered," Mr. Sprigg said. "Our contract is between Blue Cross and the individual concerned, with the company assisting both parties by deducting membership fees."

Mayor Feeney today urged the Board of Public Works to extend sewage facilities to University Heights, despite an additional cost of \$240,000.

The city's proposed sewage program, already estimated at \$4 million, originally did not include University Heights.

Residents in the suburban development, brought into the city more than 26 years ago, had petitioned for adequate sewage facilities.

Works Board members indicated they would act favorably on the Mayor's suggestion at a later time.

The University Heights development includes Indiana Central College.

For years residents of University Heights have paid city taxes without getting city services, the Mayor pointed out.

"I urge the Board to give prior consideration to the University Heights sewage project," Mayor Feeney said, "despite the added expense."

The proposed sewage plan, outlined by City Engineer M.G. (Ole) Johnson, is expected to cost more than \$240,000. Because it runs partly in the county, Mr. Johnson said, the county would have to share in the cost.

Richard E. Emery, representing the University Heights Civic Association, submitted a petition for the project nearly one year ago.

Mayor Feeney praised the association "for their patient consideration of the problems involved."

The Mayor pointed out that the city could avoid the financial burden by not "attacking" the suburban development's sewage problem now. He said that the city would benefit in the long run by helping the residents of University Heights immediately.

Two-Fisted Action

● There's no letup in action and suspense in The Times' new full color comic, CASEY RUGGLES.

● It's two-fisted action all the way ... right from the very first installment.

● Coming next Sunday ... CASEY RUGGLES ... another EXCLUSIVE feature of your SUNDAY TIMES.

BULLETIN Prowler Clues Hunted After Mystery Blast Rips Home as 5 Sleep

Dog Hears Barking Before Explosion; Family Escapes From Tumbling Debris

Probe into a mysterious explosion which wrecked a Southeast Side home early today turned to investigation of a "prowler" near the house shortly before the blast.

Meanwhile, police and insurance investigators gave conflicting opinions on cause of the near-tragedy.

The family of William Harry Winzenread, union

steward and longtime employee at U. S. Rubber Co., narrowly escaped death when the blast ripped through their home at 1042 St. Peter St. at 3:40 a. m.

The probe turned to the prowler incident after insurance inspectors disagreed with police investigators who blamed the explosion on a hot water heater.

Detectives Ed Gerd and Paul Kennedy affixed blame to a faulty safety valve on the non-automatic hot water heater after they found the tank in a neighbor's lawn 75 yards away.

Veteran insurance inspectors, however, who followed up the police probe, discounted this theory. They said the top of the heater was intact, not blown out as is normal on heater explosions.

Heater Turned Off

Mrs. Winzenread, too, banished the police theory with the report that the heater had been turned off and "double checked" before the family retired. Her husband verified this. There was no evidence of overheating or hot water backed up into cold water pipes. Neither was there any odor of gas.

The "prowler" incident was linked with the explosion after Mr. Winzenread recalled he was awakened at 2 a. m. by the barking of a neighbor's dog. He said the dog had barked in the past diana liquor distribution to be at prowlers around his home.

"I can't explain this unless someone had it in for me and was laying for me," he said. He told police he had no "known enemies."

Thrown Out of Bed

The blast awakened a sleeping neighborhood, as debris hurtled through air and smashed into adjoining houses. A next-door neighbor was thrown out of bed and a resident two blocks away said she was awakened by the explosion.

Mr. Winzenread, an inspector at U. S. Rubber Co. for 25 years, his wife, Dorothy, and a 12-year-old daughter Sally Sue, were asleep in adjoining downstairs bedrooms and twin 9-year-old sons, Richard and Charles were in upstairs bedroom when the explosion occurred.

Didn't Hear It

"I didn't even hear the explosion," Mrs. Winzenread said. "I just woke up and everything was dust and I was choking from it. When I woke up I heard my girl Sally crying and saying, 'Mama, I'm caught, I can't get out of bed.'"

The mother ran through the bathroom which connected the two bedrooms and pushed through waist-high debris of laths and plaster covering the floor to her daughter's bed. The child was buried under more plaster, laths and boards which had caved in from the upstairs.

"She kept calling 'Mother,

(Continued on Page 3—Col. 3)

Melvin Scott Named To Fish, Game Post

The Conservation Department today announced appointment of Melvin Scott, Chubbuck, as superintendent of fish hatcheries under the state Fish and Game Division.

He will succeed Maurice Long of Syracuse, who resigned. Mr. Scott has been a game warden captain since Jan. 20. He is a veteran of World War II and prior to 1946 he served nearly seven years as a game warden.



A mysterious explosion smashed the home of the William Harry Winzenread family, 1042 St. Peter St. early today. (Another photo, Page 3).