

8 Indiana Cities Ponder Census Change Ruling By Attorney General

Steers Differ With McManaman, Urges Elections on Basis of 1950 Population

By ANDY OLOFSON

Officials in eight Indiana cities today were pondering conflicting advice on their upcoming census-analyzed elections.

Attorney General J. Emmett McManaman yesterday advised them that it was illegal to take any steps in anticipation of change of classification which will be automatic when the 1950 census figures become official.

But Edwin K. Steers Sr., member of the State Election Board, (9235) is scheduled to be demoted from fourth to fifth-class status, attorney general's opinion and to. This means a reduction of the number of councilmanic openings to go ahead and conduct their primary election on a 1950 population basis instead of 1940.

2 Cities After Boundary. At least two of the cities—Kokomo and Elkhart—already have passed ordinances altering five of the seven "invalid" winners in the primary to be the official candidates for the fall election to make six (second class city). In politically turbulent Lake County, they also plan to nominate nine candidates for each party in the primary, instead of seven as in the past.

The Attorney General ruled both actions are illegal at this time.

But Mr. Steers said that any question about the validity of the councilmanic nominations can be eliminated by approval of the nominated candidates by the GOP and Democratic county committees, which have the power of filling any vacancies in the ticket before the November election.

Lafayette—also scheduled for the change from third- to second-class status—had declined to make any changes in its voting districts before the primary.

Procedure Outlined. The unswerving procedure, as outlined by Mr. Steers, follows:

ONE: Declare all councilmanic nominations void as soon as the classification change becomes official.

TWO: Have respective county committees then fill the vacancies on the tickets for the fall balloting.

"This way," he explained, "the committees will have the benefit of the voters' preferences as expressed in the primary when they consider filling the vacancies."

Each of the three cities—according to preliminary census figures—has topped the 35,000 population mark which is the minimum for second-class status.

Top 10,000 Minimum. Four other cities—West Lafayette, Washington, Wabash and Valparaiso—all have topped the 10,000 minimum required for the jump from fifth to fourth-class status.

When officially changed, these cities will have seven councilmen from five districts instead of five councilmen from four districts.

The same correcting action by the party committees will solve the problem in these cities, Mr. Steers added.

But in Whiting, the situation is just the reverse.

The refinery city (1940 population, 10,307; 1950 population, 5,551).

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CAN WE SQUEEZE IN ANOTHER RECORD? — County Clerk H. Dale Brown ponders a stack of old records in the Courthouse. He is seeking to eliminate them to provide more storage space.

Records of Marion County Head for Discard Pile

By JOHN V. WILSON

A portion of early Marion County history—revealed in musty Courthouse records—is heading for the discard pile.

County Clerk H. Dale Brown yesterday urged the destruction of eight tons of records to relieve the critical shortage of space in the Courthouse.

The county's Old Records Commission tentatively agreed to Cook's request to burn the huge pile of documents dated prior to 1930. Some records date back to 1822.

Report in 30 Days.

A five-member committee was named to study the problem with the view of eliminating even more records. It will report to the commission within 30 days.

The fourth-floor record rooms in the Courthouse were filled to capacity some time ago. Records were piling up in the courts and offices.

"This is an absolute necessity," Mr. Brown said. "Every office has records that should be filed on the fourth floor, but there is no space for them."

Fire Hazard Cited.

Mr. Brown also cited the fire hazard involved in the vast collection of paper in the record rooms.

He said the committee hopes to eliminate enough old records to provide space to build new racks in the rooms. The committee will seek to boost the discard pile from eight to 20 tons.

Doomed records include aged sheriff's fee books, coroner's reports, justices of the peace papers, marriage certificates, notary and inventory files and cash books.

Members of the survey committee will include Mr. Brown and representatives of Union Title Co., Brown Abstract Co., Indianapolis Bar Association and the County Attorney's staff.

Alertness Adds \$6.12 to Polio Fund.

The Marion County polio fund was \$6.12 richer today, thanks to the alertness of Lloyd Litten, assistant manager of the Haag Drug Store at 2706 N. Meridian St.

Mr. Litten noted that collectors for the March of Dimes had overlooked one of the two coin collectors when they made their rounds following the recent fund drive.

He called The Times and word was flashed to polio officials, who promptly picked up the coin box.

The extra amount pushed the polio fund to almost \$60,500 with more money still coming in from various chain stores.

Army Finance Chief To Make Check Here

Gen. Eugene M. Foster, chief of the Army's Finance Department, will be here Monday to check final details of the new \$23,242,000 Army Finance Center to be built at Ft. Harrison.

The building will be three-story concrete. It will be rectangular building measuring 500 by 1000 feet.

About 6000 workers are expected to be employed at the center.

Money for the building has been authorized by Congress, and the construction awaits only the allocation of funds to the Finance Department by the Bureau of the Budget.

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Risks Freedom To Clear Name

Ex-Convict Wins Right To File Appeal

A man who "wants to clear his name" after serving 17½ years for his wife's murder had a court decision today which conceivably could jeopardize his freedom and send him back to prison or to the electric chair.

The Indiana Supreme Court—for the first time in its history—yesterday granted the right to file a delayed appeal to Lawrence E. Cook, 40, now a resident of Terre Haute.

Cook's release from state prison was ordered Mar. 10, 1949, by Judge Luther M. Swigert of the Northern Indiana District Federal Court. He was convicted in Jennings Circuit Court on July 23, 1931, and sentenced to life in prison.

Cook had instituted habeas corpus proceedings in the federal court on grounds a former prison warden prevented him from appealing his conviction within the prescribed time limit. Last January, the U. S. Supreme Court agreed his attempts to appeal were "obstructed."

Chief Justice Arch N. Bobbitt today ordered that Cook be given the right to file a delayed appeal.

Judge Paul S. Draper said if Cook was unable to gather sufficient evidence of the original trial—because of the length of time which has elapsed—then he automatically should be granted a new trial.

The attorney general's office said a new trial in the case "probably always will be pending," but that it is possible that a new trial could be held and Cook convicted.

Thousands of Letters

As thousands of letters poured in from dozens of cities for continuation of the committee, legal charges were placed against six more bigoted gamblers.

A Philadelphia gambling house was raided.

At Albany, N. Y., Gov. Thomas E. Dewey today appointed a five-member crime commission to combat gambling and racketeering in New York state.

The commission, composed of

four Democrats and one independent Republican, will be headed by Joseph M. Proskauer of New York City, former state supreme court justice and per-

Kentucky Gambler Held By Crime Probers

Continued From Page One James H. Brink told the committee two days ago that Mr. Croft was a partner in the York Club, Newport, Ky., where gambling has been going on for many years.

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The others were Carlos Marcello, tabbed by the committee as "one of the most important criminals in the nation," his brother, Anthony; Joseph Poretto, race wire service figure, and John J. Fogarty, race news service operator.

Betting Commissioner James J. Carroll was charged in Kansas City with violation of the income tax code in 1948 and 1949. He had appeared before the committee.

Probe Pays Off. Meanwhile, the committee's investigation began paying off today with legal crackdowns on gamblers throughout the nation as two Republicans pressed for a new life for the committee.

Sens. Charles W. Tobey (R. N. H.) and Alexander Wiley (R. Wis.) planned to meet with the three Democratic members of the committee in hope that agreement could be reached on terms to present to the Senate for extension of the inquiry.

Mr. Tobey and Mr. Wiley were ready to ask the other members to agree to "ask for an extension until next Jan. 15. Mr. Tobey said, however, those terms were open for compromise. The committee's life dies midnight Saturday.

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GIs Punch Out 3½-Mile Gain

Hit Minefields On Central Front

Continued From Page One reported indications the Reds are withdrawing in the area generally north of Seoul.

Hit Minefields. But on the central front north of Chunchon other patrols ran into extensive Communist minefields protected by machinegun and heavy mortar fire.

They found the Communists entrenched in strength along a series of 3000-foot ridges just south of the Parallel, apparently prepared to make a determined stand.

The day's biggest gain was made by British, Australian and Canadian troops who swept across barren hills and forced swift-flowing torrents northwest of Kapyong, on the main Seoul-Chuncho highway they gained 3½ miles.

To their west United Nations tank and infantry patrol crashed through a mortar barrage and blasted a Chinese company off a hill northeast of Uijongbu, killing 70 Reds.

Recover Howitzers. A tank patrol scouting along the Imjin River north of Seoul reached within three miles of the 38th Parallel at a point only five miles from where the Chinese Communists cracked the Allied Imjin River line last New Year's Eve.

Two U. S. 105-millimeter howitzers complete with caissons and tractors were recaptured Thursday in the exact spot where they had been overrun by the Chinese in

the top of the hill.

They were unharmed and untouched except for several crude booby traps. Officers said they could be cleaned and used again.

Stressed by need for more capacity, In

Japan New Year's four changes were recom-

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St. THREE: C

FOUR: C

FIVE: W

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URGE

Given the top of the hill.

They were

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St. THREE: C

FOUR: C

FIVE: W

Av. between Cent

Aves. to four

THREE: C

FOUR: C

FIVE: W

Av. between White

Creek E