

8 Indiana Cities Ponder Census Change Ruling By Attorney General

Steers Differs With McManamon, Urges Elections on Basis of 1950 Population

Officials in eight Indiana cities today were pondering conflict of advice on their upcoming census-snapshots elections.

Attorney General J. Emmett McManamon 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, advised them to forget about the attorney general's opinion and to go ahead and conduct their primary election on a 1950 population basis instead of 1940.

At least two of the cities—Kokomo and Elkhart—already have passed ordinances altering the councilmanic district boundaries to make six (second class city) instead of five (third class city). They also plan to nominate nine councilmanic 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.

The unearthing 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, 15,551).

Art Show Offers \$1500 In Prizes

State Exhibition Opens Apr. 29

Prizes totaling \$1500 will be awarded in the 44th annual Indiana Artists Exhibition opening to the public at Herron Art Museum at 1 p. m. Apr. 29.

A jury of top-ranking artists, chosen by the Indiana Artists Club, will include Nicolai Cikovsky and Janet Farnsworth, painters, and Jerry de Coud, sculptor.

A new prize of \$200, offered anonymously, will be awarded the best portrait or portraits. Mrs. Booth Tarkington again will present the Booth Tarkington Memorial Prize of \$50 to the most popular entry, to be determined by ballot during the first three weeks of the show.

Other prizes include: Art Association, \$300; Alumni Association, \$100; Board of Directors, \$200; Keeling & Co., \$150; J. L. Holcomb, \$100; Mrs. Edgar H. Evans, \$100; Junior League, \$100; Art Association, \$50, and Morris Goodman, \$100.

Deadline for entry blanks is Apr. 9. Present or former Indiana residents are eligible. Apr. 11 is the last day for receiving paintings and sculpture.

Works may be submitted in the following media: Oil, water color, tempera, pastel, and sculpture in wood, bronze, stone, terra cotta, plaster, plastics or any durable material.

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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 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, justice 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

Maj. 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.

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 Otterbein.

Cook's release from state prison was ordered Mar. 10, 1949, by Judge Luther M. Swygert 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.

Kentucky Gambler Held By Crime Probers

Continued From Page One

on gambling charges. But he refused any information about his gambling arrests and anything about his present operations and associates.

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

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.

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 bigtime 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-

sonal adviser to the late Gov. Alfred E. Smith.

In New Orleans, a federal grand jury indicted "Dandy" Phil Kastel, partner of Frank Costello, and four others on charges of contempt for refusing to answer committee questions during a January hearing.

The others were Carlos Marcello, tabbed by the committee as "one of the most important criminals in the nation," his brother, Anthony; Joseph Foretto, 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 here.

Board OKs \$24,000 In Street Projects

The Works Board today approved nearly \$24,000 worth of gravel streets and concrete curbs for three Irvington Streets.

Authorized for improvement was Sheridan Ave. from Ivanhoe St. to the Pennsylvania Railroad, Oak Ave. from Catherwood Ave. to Sheridan Ave. and Catherwood from Ivanhoe to Oak.

In addition, the board approved a new sewer in Belmont Ave. from Minnesota St. to Thornberry St. The sewer project will cost about \$19,000.

Tax Statements Ready

Marion County Treasurer Louis O. Rainier today announced that 190,000 statements for the spring payment of the real estate tax duplicate are ready and can be picked up at his office. Deadline for payment is May 7.

He said the fall statements will be mailed, but those due now must be picked up at the Courthouse.

Gls Punch Out 3½-Mile Gain

Hit Minefields On Central Front

Continued From Page One

ported 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 forded swift-flowing torrents northwest of Kapyong, on the main Seoul-Chunchon highway they gained 3½ miles.

To their west a 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 were overrun by the Chinese in January.

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

CLOSED MONDAY: Open Tuesday thru Friday 9 a. m. to 9 p. m.—Saturday to 5:25



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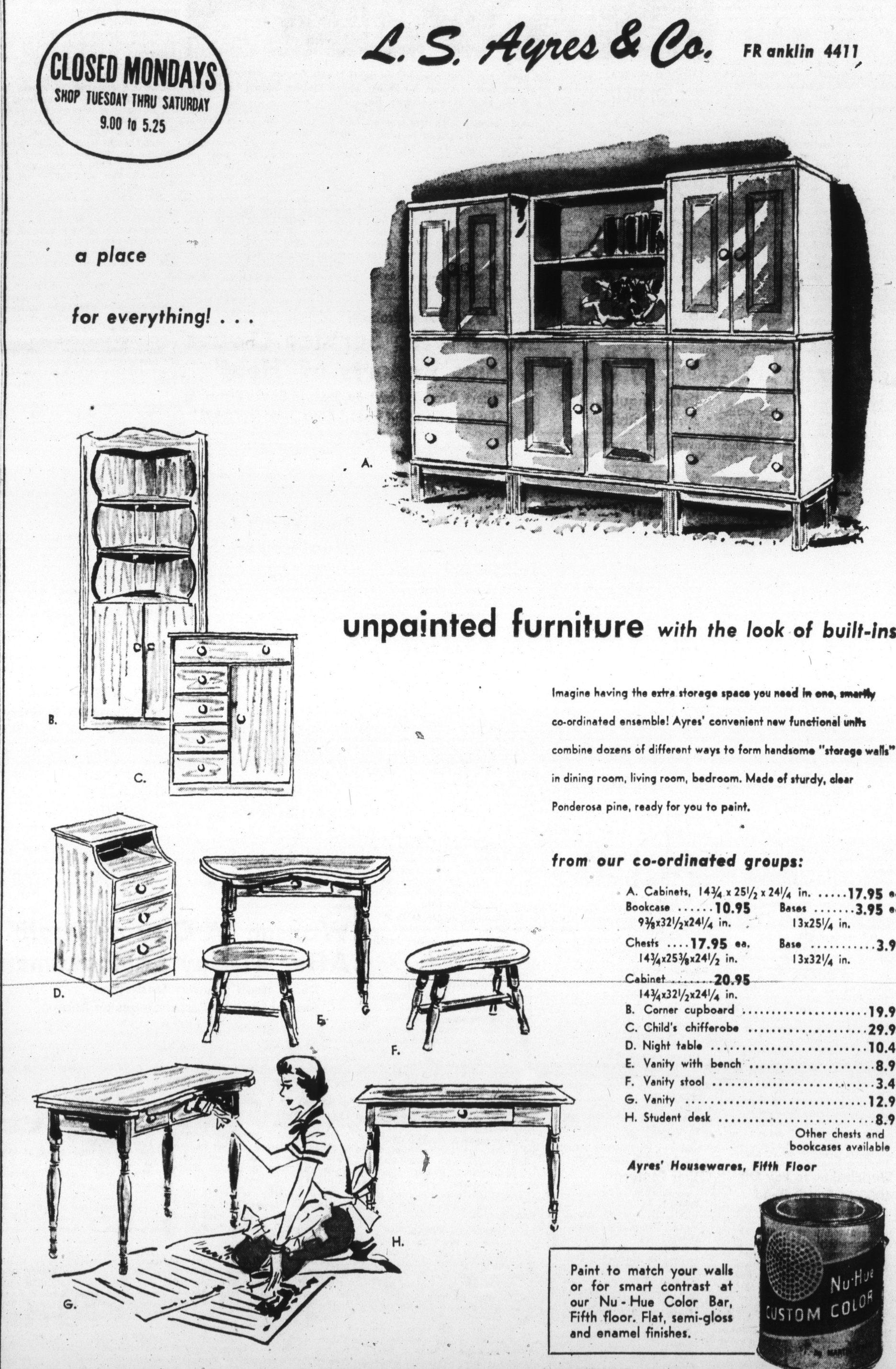
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