



# The Indianapolis Times

HOME

Partly cloudy tonight and Saturday; not much change in temperature.

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INDIANAPOLIS, FRIDAY, JUNE 13, 1930

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## ROBBER TARIFF PASSED BY SENATE

### GERMAN WINS FISTIC CROWN ON LOW BLOW

Decision to Schmeling First Time Ring Title Is Taken on Foul.

### AMERICAN FAR AHEAD

Victor Is Outclassed by Sharkey Until Time of Unfortunate Blow.

BY FRANK GETTY  
New York Press Sports Editor

NEW YORK, June 13.—The fistic world has a new heavyweight champion today, but the decision which brought that honor to Max Schmeling, the fortunate youth of Germany, still ranks in the breasts of some 80,000 spectators who witnessed the unfortunate ending to the battle for the title.

With but six seconds left to go in the fourth round of Thursday night's spectacular fight in Yankee stadium, Jack Sharkey, who had outclassed Schmeling in every way, whipped home a terrific left hook which landed below Max's belt.

The German, a badly beaten fighter until that moment, went down helpless and incapacitated.

After an inexcusable delay and amidst scene of tremendous confusion, Referee Jimmy Crowley awarded the fight and the championship to Schmeling.

No other decision was possible, since Harold Barnes, the only judge in a position to see where that swishing left hook landed, declared it a palpable foul.

### Jack Toys With German

For three rounds, the Bostonian, proud of his chance to represent the United States in an international bout of such importance, trained to the minute, and fighting the greatest fight of his career, toyed with the young man of the Rhineland.

In the third round, Schmeling was all but out on his feet, a battered and beaten victim of a worthy successor to the long line of heavy-weight champions from John L. Sullivan down through Gene Tunney.

Never before in prize ring history has a heavyweight title been awarded on a foul. Yet in the final analysis, no other verdict was possible.

Sharkey, toward the end of the fourth round, whipped out a right to the jaw which sent Schmeling sagging against the ropes. As Max came off the ropes, Sharkey started a long, low left swing from the knee.

The blow, which would have landed well above the waistline of Schmeling remained back on his heels, caught Max who was stumbling forward into a clinch, flush in the groin.

### Schmeling Goes Down

Schmeling went down, grimacing with pain. Referee Crowley saw no foul, and proceeded to count up to "six," when the bell signaled the end of the round. Max's seconds carried him to his corner and worked over him frantically.

When the bell signaled the start of the fifth round, Sharkey, cool this time, and with none of the hysteria which marked his performance under similar circumstances at the end of the round, Max's seconds carried him to his corner and worked over him frantically.

Schmeling couldn't get up. His seconds remained around him. The count which would have been a signal for victory for Sharkey began.

But before the knockdown time-keeper had beat out the measure with his little wooden hammer Referee Crowley had come to a decision.

On the word of one judge, the only one who claimed to have seen the blow land low, the arbiter awarded the fight to the German on a foul.

### Tears After Decision

Jack Sharkey, his hopes of a championship so richly deserved thus stripped from him, slumped in his seat. Tears streamed down his face. But a moment later he assisted in the labored departure of Schmeling, the new champion, from the ring.

Schmeling examined by a boxing physician bore evidence of having been fouled.

"I told Jack to keep his punches up. I will give him a return bout," Schmeling said after the fight.

But the German youth probably will be advised away from any such course by his handlers.

### Schmeling Will Take the Championship of the World to Germany

The first time it has left the country since Tommy Burns, a Canadian, born Noah Brusso, skipped off to Australia back in 1906.

### QUELL PRISON UPRISING

Two Squads of Convicts in Detention Cells After Riot.

### MANSFIELD, O., June 13.—Two

squads of prisoners in the Mansfield state reformatory were in detention cells today, separated from their fellow prisoners, following a threatened riot Thursday night.

The prisoners became unruly at the dinner hour and were quelled with some difficulty by extra guards who have been assigned to the prison in anticipation of an outbreak.

### 'So Sorry!'

'But, Really Legal Fishing Doesn't Begin Until Next Monday.'

"SORRY, but we can not do a thing for you," was the answer impatient nimrods received from officials of the state conservation department today when they appealed for "twelve-hour leave," which would permit them to fish next Sunday.

The only consolation given by Walter Shirts, chief of the fish and game division, was that legal fishing might begin at midnight Sunday.

For June 16, Monday, the ban is lifted on fishing for black bass, silver bass, rock bass, blue gills, yellow perch, pike-perch, pike, pickerel, red-eared sunfish and crappies. The open season extends to April 30.

Sixty-three game wardens watch for violators so the safe fisherman will have to sit around Sunday drinking the lunch or something until the midnight bell tolls.

### CAPONE TRIED FOR NUISANCE

Status as Citizen Basis of Home Padlock Suit.

### MIAMI, Fla., June 13.—Whether

Scarface Al Capone, frequently referred to as "the Chicago bear," is a gangster and whether his presence here has been detrimental to Miami's financial structure, were questions heatedly debated today in court proceedings designed by the state to padlock his Palm Island mansion as a "public nuisance."

State's Attorney N. Vernon Hawthorne argued that "a rattlesnake is an annoyance in any one's back yard, even if at a trial it is proved that its fangs have been pulled out." He asserted Capone's sojourn here had hampered business, depreciated land values and proved generally obnoxious.

Defense counsel vigorously protested the suggestion Capone was "a gangster, gambler, vagrant," terms used by the state in questioning witnesses.

A description of an alleged "drunken party" at the Capone home was contributed by Roddy R. B. Burdine, a state witness, who told of attending the party, at which he said he saw "some forty men that were tough appearing, foreign and not friendly." The kitchen sink was full of champagne and Scotch bottles and cracked ice, he said.

### SMOTHERS TO DEATH

### Negro Workman Is Buried Under Fertilizer.

Falling from a bucket conveyor on a lift into an elevator at the E. Raub & Sons Fertilizer Company's plant at the Indianapolis Union stockyards this morning, James Garvin, Negro, 1441 Shelby street, smothered to death under several feet of fertilizer, while a large crew of workmen attempted his rescue.

After digging frantically into tons of fertilizer at the bottom of the shaft, rescuers removed a portion of the wall of the shaft and found the body imprisoned there.

The bucket conveyor was in operation when Garvin lost his balance and fell.

### REARGUMENT DENIED IN PLAGIARISM SUIT

### Voiding of \$781,000 Judgment on Play Is Upheld.

ALBANY, N. Y., June 13.—The court of appeals denied today a request by Mrs. Grace A. Fendler to re-argue the appeal of her plagiarism suit against Oliver Morosco and Richard Walter Tully, playwrights. The court last March voided judgments of \$781,000 awarded Mrs. Fendler in lower courts and dismissed the suit.

Mrs. Fendler, in her 18-year-old suit, charged that Morosco and Tully appropriated material from her script "Bird of Paradise."

### MOOSE IS KILLED IN COLLISION WITH CAR

### Auto Well Wrecked in Head-On Crash Into Animal.

QUEBEC, June 13.—A moose which insisted on its right to a pedestrian's highway privileges, lost its life when it was struck by the automobile of Oscar Porette, a grain dealer of St. Basile, near Donnacona.

Several motorists had seen the moose on the highway, but had managed to avoid it by applying brakes. Porette, passing, did not see the moose until too late to avert a collision.

The bumper of his motor car was broken, the headlights smashed and the radiator crumpled.

### LODGE LOSES ON WIDENING OF MASS. AVE.

Supreme Court Holds City Entitled to Proceed With Project.

### SUSTAINS LOWER BENCH

Pythian Suit to Enjoin Use of Basement Section Is Overruled.

Way was paved by the Indiana supreme court today for the Indianapolis board of works to proceed with widening of Massachusetts avenue.

An opinion written by Justice Clarence R. Martin, Indianapolis, upheld refusal of the Hamilton circuit court to enjoin the widening project at behest of trustees for the Pythian building.

Fred E. Swaim and other trustees for the Knights of Pythias property at 133 Massachusetts avenue, Indianapolis, sought to checkmate the street widening. It was contended that when the Pythian building was erected twenty-five years ago the city granted permission to use a portion of the street for a basement, housing dynamos, well and other building machinery.

Widening Massachusetts avenue would require filling in eight feet of the twenty-five-foot basement under the street, it was contended. The steel work alone will cost \$12,500, according to the evidence.

Judge Martin's opinion pointed out that public necessity must be served and since the city granted the right to use the street for basement in the first place, it also has the right to withdraw such use.

In the decision, Judge Martin pictured the Indianapolis of the future as follows:

"Present conditions seem to require that more of the street surface be devoted to the roadway, while under conditions arising in the future, wider sidewalks and narrower roadways may be desirable or necessary."

### Subway Chance Seen

"In the future, even subways and elevated ways may be necessary. Thus it is apparent that the problem of determining what use it shall be necessary to make of land dedicated for a street, including the problem of determining what proportion of the surface of the street shall be devoted to a roadway and what proportion to sidewalks, necessarily is one of fact which must be determined from time to time by proper authorities of the city."

Those seeking injunction had contended that the plan to make the sidewalk more narrow to widen the road was detrimental.

### GOVERNOR IN CRASH

### Kohler Escapes Injury as Plane Tips Over.

KOHLER, Wis., June 13.—Walter J. Kohler, "flying Governor" of Wisconsin, and two companions narrowly escaped injury today when a wheel locked on the Governor's airplane as it ran for a take-off and it nosed over.

Neither the Governor nor his companion, Colonel R. J. Smith, his secretary, and pilot Melvin Thompson, was injured.

### FIVE COUPLES WED ON 13TH—IN CEMETERY

### Hoodoo Defers Toss Challenges at Pates with Nonchalance.

GLENDAL, Cal., June 13.—Friday the 13th means nothing to five couples who planned to get married here today.

Not only did the hoodoo defers choose this fateful day, but they are to be married in a cemetery.

The ceremonies will be performed in the Wee Kirk O' the Heather and the Little Church of the Flowers—Scenes of many of the prominent motion picture weddings—in Forest Lawn memorial park.

### GREEK TO GO OVER NIAGARA IN BARREL

### Plans to Make Fortune by Exhibiting Films in Europe.

NIAGARA FALLS, June 13.—George I. Stathakis, 46, a native of Greece, will undertake to go over Niagara Falls in a barrel on July 5, he announced here today.

It will be his first and probably his last daredevil venture, Stathakis said. He plans to make his fortune by exhibiting motion pictures of the feat in European countries.

John Lussier, who once negotiated the falls in a rubber ball, had previously announced he would try to repeat the accomplishment on July 4.

### Play Marbles and Win a Vacation Trip

### Any one is eligible who will not be 15 before July 1. So get busy now and try to win this fine vacation trip.

The Times winner will leave here Saturday, June 21, with a responsible chaperon in charge. He or she will spend Sunday going over Revolutionary war scenes at Valley Forge, arriving in Ocean City, N. J., famous summer resort, Sunday night.

The big national tourney will start Monday, June 23, with mar-

bles competition every morning and entertainment every afternoon, including swimming, boating, free shows, and pony rides, all under careful supervision.

All expenses will be paid through The Times with the national tourney association. Everything will be free and parents may rest assured that their children will be safe as if they were at home.

Give the boy or girl a chance at this fine prize. Cash in the entries will be in by 6 p. m.

### Segrave, King of Speed, Killed as Boat Upsets at 100-Mile Pace in Setting New Record

Holder of Auto Mark Is Hurlled With Two Into Water; Mechanic Dies.

WINDERMERE, England, June 13.—Major Sir Henry Segrave's speed boat, Miss England, hurtling over the water of Lake Windermere at more than 100 miles an hour for a new world speed record, suddenly dived like a bullet today, hurling her crew of three into the water, injuring Segrave fatally.

Sir Henry and his mechanic, E. Willocks, were taken out of the water in a daring rescue by a man and woman spectator.

The other mechanic, Halliwell, never appeared above the surface again.

Segrave was one of the most famous automobile and motor boat speed drivers in the world, noted for his skill and daring.

He already held the world automobile speed record of 231 miles an hour, made in Florida and shortly before the accident had set a new world motor boat record with an average of 98.76 miles an hour.

The record was made on two runs which preceded the third and fatal one. The official time for the first run was 96.41 miles an hour, and for the second, 101.11.

The previous record was held by the American, Gar Wood, at 93.4 miles an hour.

Segrave was estimated to have been going well above 100 miles an hour on the third run when the boat, roaring over the water with a deafening noise, suddenly disappeared in a great shower of water.

Hundreds See Accident

Hundreds of spectators saw the accident and all manner of craft hurried to the scene. But it remained for a spectator, named King, to make the first gallant attempt at rescue.

King dived into the water fully clothed and brought up Segrave. A woman helped them both into a boat and then fainted.

The cause of the accident was not determined. Miss England had a gaping hole in the bottom. It was believed either she had struck a piece of driftwood or one of the whirling propellers broke and crashed through the hull.

Segrave was believed to have been the first man ever to travel more than one hundred miles an hour in a speed boat. He wore his special "armor" clothing, including a heavy life belt during the attempt, but the force with which he struck the water was deadly.

Shortly before Miss England's trial, Lady Segrave told the press: "I have been confident all along, but today I feel nervy, wondering whether everything will be all right."

Superstitious spectators commented on Segrave's recent run of ill luck and admired his courage for making his attempt on Friday, the 13th. A spectator described the accident as follows:

"One second Miss England was skimming at 100 miles an hour while the team was breaking from her bows and the engines screaming deafeningly. The next second she seemed to dive like a bullet and the scream of the engines died. When we saw the boat again, she was floating like a crippled fish on the surface."

With him when he leaves for Mobile, Ala., today, is Harold Herbert Schroeder, missing since a body was found in his automobile, burning on High School road, west of the city, early the morning of May 31, will be two detectives and a deputy prosecutor.

Those investigations will center around letters in possession of Mrs. Schroeder, believed written by her husband after the murder.

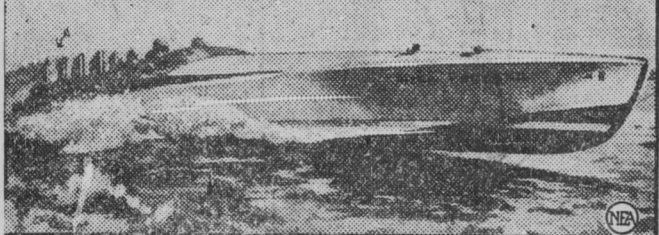
Detectives today recalled for questioning Miss Ruby Blue, 715 North Delaware street, who with John Allen, Clayton, first saw the blazing auto, and later picked up a hitch hiker whom authorities think was Schroeder, on route to Indianapolis.

Insurance companies holding policies on Schroeder have offered no rewards for solution of the murder mystery.

Taking a stand that Schroeder is alive, insurance companies have de-



Major and Mrs. H. O. D. Segrave and Segrave's racing boat, Miss England.



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### PANIC-STRICKEN OLD BANK FIRM CLOSES DOORS

Passengers Cool, Marine Asserts at Inquiry.

BOSTON, June 13.—Passengers rather than the crew were credited before a federal inquiry today with having saved the steamer Fairfax from destruction by fire after the collision with the tanker Pinthis. The tragedy took a toll of forty-seven lives.

Describing the antics of panic-stricken Negro members of the crew, Sergeant Harry E. Kipp of Minneapolis, a marine who was a passenger on the Fairfax, voiced the belief that only cool heads among the passengers prevented a much greater death toll.

No passengers were trampled, he said. He added that most of the Fairfax's crew appeared to have done their duty "very well," but that some of the seamen, whom he thought were Negroes, became too excited.

"What do you mean?" he was asked. "They were fighting to jump overboard," Kipp said.

HONORED BY CLUB

FT. WAYNE, Ind., June 13.—Frances Newby and Franklin Tooke were awarded the Kiwanis Club medal and Business and Professional Women's Club \$50 scholarship at eighth annual commencement at South Side high school here.

### SHERIFF TO CENTER TORCH DEATH PROBE ON LETTERS

Winkler to Go South for Quiz of Notes Sent Wife After Slaying on High School Road.

Sheriff George Winkler will carry investigation of the High School road murder mystery back into the south early next week, he said today.

With him when he leaves for Mobile, Ala., today, is Harold Herbert Schroeder, missing since a body was found in his automobile, burning on High School road, west of the city, early the morning of May 31, will be two detectives and a deputy prosecutor.

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Taking a stand that Schroeder is alive, insurance companies have de-

tailed investigators, but have offered no rewards either for his capture or for finding of the slayers of the man whose body was found in the torch car.

Contrary to her declaration that she would not attempt to collect insurance on her husband's life unless it was established definitely that the body of the man found in the car was that of Schroeder, his wife at Mobile has filed claim for payment of a \$10,000 policy held by a Massachusetts company, according to information received here today.

Schroeder's total insurance would be more than \$64,000, including provisions for double indemnity for accidental or violent death, investigators said today.

Grain Creditors Act

GREENSBURG, Ind., June 13.—Creditors of the Nading Grain Company, following two meetings here with the receiver, Herbert DePrez, have decided against turning operation of the company's seven elevators over to the Central States United States Grain Corporation and to continue under the receiver.

### MARGIN OF TWO VOTES IS GIVEN BILLION-DOLLAR GRAB; PREDICT HOOVER WILL SIGN

House Is Expected to Give Big Majority to Measure When It Casts Ballots Saturday; Supporters Dissatisfied.

### GALLERIES JAMMED FOR SHOWDOWN

Democrats Picture Schedule as Worst Ever Adopted by Country in Final Onslaught; Climax of Long Fight.

BY PAUL R. MALLON  
United Press Staff Correspondent

WASHINGTON, June 13.—The Smoot-Hawley bill raising the tariff on imports \$107,000,000 a year or more was passed in final form by the senate today, a year and a half after it began its legislative career. The vote was 44 to 42.

Containing increased duties on sugar, shoes, butter, cement, lumber and bricks among many others, the measure now goes to the house where passage is scheduled Saturday.

Prospects are that the highest tariff in history will become a law next week by President Hoover's signature.

Designed originally to equalize the tariff disadvantages of agriculture with those of industry, the measure lost the almost unanimous support of the senate farm group on the final roll call.

The rejected coalition of farm Republicans and Democrats turned overwhelmingly against the measure now that the debenture system of farm relief is omitted.

They took the position the increased duties on agriculture will be ineffective while the upward adjustment of many industrial rates will only add further to the burdens of the farmers.

The votes of the administration Republican group and a few Democrats furnished the small majority for the measure which was one of the most controversial in history.

Some of the bill's supporters, notably Senators Reed and Grundy, Republican protectionists from Pennsylvania, cast their votes with public misgivings about the benefits of the measure. Taking exactly the opposite position of the farm groups, they say the food stuffs tariffs are too high and the industrial rates insufficiently adjusted to protect American manufacturers fully against foreign competition.

Supported for "Expediency"

Like others who voted for the bill, they made clear they were supporting it largely for expediency, feeling business would be better with the question definitely settled.

The final vote came upon the technical parliamentary question of adopting the conference report which contains the latest changes made by house and senate conferees in adjusting the differences in the measures originally passed by both houses. Rejection of this report would have sent the bill again to conference for further adjustments to make it acceptable to a majority of the senate.

There is no doubt but that a more substantial majority will be piled up in favor of the measure when a similar vote is taken in the house Saturday.

There likewise is every reason to expect Mr. Hoover will sign the measure.

His friends have indicated he feels substantially the same way about the measure as Reed and Grundy.

Democrats Assail Measure

The final Democratic onslaught against the tariff bill was opened today by Senator Connally (Dem., Texas), who told the senate the bill would be of no benefit to agriculture.

Before galleries jammed with distinguished personages, the Texan charged the measure violated the Republican campaign pledges to place agriculture on a parity with industry.

The measure was also assailed by Senator Simmons (North Carolina), floor general of the Democrats in fiscal matters. Simmons, recently defeated for renomination, said the cost of living will be immeasurably increased by it.

Labor Is Warned

"I warn labor that this is the worst bill for it that ever went out of the portals of this senate," Simmons declared. "I warn the railroads this measure will further deprecate our imports and they will suffer from loss in long hauls. I warn the Republican party this bill will bring down upon them the vengeance of an outraged people."

"The bill will perpetuate and intensify the inequalities between agriculture and industry," Democratic Floor Leader Robinson added.

The only defense of the bill was made by Republican Floor Leader Watson, who concluded his speech by saying:

"The pending measure meets the prescription of the President for a tariff on competitive articles where there is injurious competition, equal to the difference in labor costs at home and abroad."

"In fact, it falls short of that prescription in many instances at

### Roll Call

For Bill (44)	Republicans (39)
Allen	Keyes
Baird	McClulloch
Bingham	McNary
Capp	Townsend
Couzens	Oddie
Dale	Patterson
Deneen	Phelps
Fess	Reed
Gault	Robinson (Ind.)
Glenn	Robison (Ky.)
Griffith	Townsend
Hammond	Smoot
Hale	Stevenson
Hastings	Sullivan
Hawley	Thomas (Ida.)
Hebert	Vanderberg
Johnson	Watson
Jones	Waterman
Kendrick	
Democrats (5)	Republicans (11)
Broussard	McMaster
Fletcher	Norris
Kendrick	Norris
Blaine	Schall
Brookhart	
Howell	
La Follette	
Democrats (50)	Republicans (11)
Ashurst	McMaster
Black	Norris
Bratton	Norris
Brook	Schall
Connally	
Cupland	
George	
Gilbert	
Harris	
Harrison	
Hawley	
Hayden	
Shipstead	
Paired for Bill	Paired Against Bill
Watson	McMaster
Cutting	Norris
Smith	Reed
Bleas	Robinson
Nye	

a time when Europe is adopting mass production and management methods, and is preparing for an invasion of our markets, which unless halted, will greatly intensify the unemployment situation."

Farm Bloc Fights Bill

Republican farm bloc members joined the Democrats in denouncing the measure. Senators Borah (Rep., Ida.) and Schall (Rep., Minn.) severely criticized it as a measure of farm relief.

"The duty on cement alone will take away whatever benefit the farmer might get from his agricultural products under increased duties given them," said Borah.