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Times-Picayne, published as THE TIMES-PICAYUNE. (New Orleans, Louisiana) • January 14, 1938 • Page 1

WARNING ISSUED

Bitterness produced by the antilynching bill fight may injure chances of enacting President Roosevelt's legislative program, Senator Norris, veteran Nebraska independent, fears as both sides "feel very deeply."

The Times-Picayune

THE WEATHER

Cloudy, probably occasional rains, warmer today. Saturday, partly cloudy. Gentle to moderate mostly southerly winds. Highest temperature Thursday, 48; lowest, 42. Same day last year, highest, 77; lowest, 62.

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THOUSANDS SLAIN AS CHINESE FIGHT TO PROTECT 'LAST LINE OF DEFENSE'

Damaging Resistance Fails to Save Tsining from Japanese; Sinos Lay Trap for Enemy Near By

INTERNAL SABOTEUR EXECUTED BY CHIANG

War Lord Strengthens Control With Arrest of General Who Sought to Undermine His Authority

(The Associated Press)

Shanghai, Jan. 14 (Friday).—Generalissimo Chiang Kai-Shek's armies fighting on China's "last line of defense" were reported today to have killed 2000 Japanese in desperate but futile resistance at Tsining, Southwestern Shantung province.

At the same time the generalissimo was said by Chinese sources to have strengthened his military hand by arrest of one of his generals and the execution of a former government leader accused of trying to undermine his authority.

Chiang, Chinese said, had flown to Suchow to direct a major counteroffensive along the Tientsin-Pukow railroad, the route of the Japanese columns gradually closing in from north and south. Suchow is the junction of China's East-West "lifeline," the Langhai railroad, and the Tientsin-Pukow line.

Threaten Trap

Besides the 2000 slain more than 3000 other Japanese were reported by Chinese to have been wounded in the battle of Tsining, about 100 miles northwest of Suchow. The massed forces clashed there Wednesday and the Chinese finally left the city to the victorious but battered Japanese.

Chinese forces were said, however, to be threatening to trap Tsingine's captors by an attack on Yenchow, about 15 miles to the northeast.

Japanese authorities at Shanghai insisted their forces were continuing the southward push through Shantung province and routing their foe as they neared the vital railway junction.

While official confirmation was lacking, General Han Fu-Chu, the Shantung governor, was said to have been arrested for failure to halt the sweep of Japanese troops over China's "sacred" province.

Execute Leader

The failure of Han's troops to halt Japan's southward thrust was said to have made difficult the defense job now being directed by Chiang.

Advices from Hankow, one of China's provisional capitals, said the Chiang regime had executed Chu Min-Yi, former general secretary of the executive Yuan (council) for secretive subversive to the generalissimo, Chu was a brother-in-law of Wang Ching-Wei, former foreign minister.

Madame Chiang Kai-Shek, American educated chief of the Chinese air force, flew to Hong-Kong from Hankow, but her associates declined to state the purpose of the visit.

A dispatch from Hong-Kong said Japanese land planes, based on aircraft carriers in South China waters, had appeared for the first time in many weeks although large scale Japanese troop landings still were not considered imminent.

Norris Warns That Lynch Bill Battle May Destroy Entire New Deal Program

Dog Proves Her Docility in Court; Suit Is Dismissed

(The Associated Press)

Chicago, Jan. 13.—A dog won a case in the municipal court today.

Lassie, a brown and white collie, was accused of biting Louis Trento, who sought $200 in damages from her master, George Dahl.

To demonstrate the dog's docility, her 3-year-old mistress, Peggy Dahl, leaped on Lassie's back, tweaked her ear, pulled her tail, with impunity.

Judge Thomas Green dismissed the suit, ruling:

"This dog does not seem to be vicious. Besides, common law provides every dog is entitled to at least one bite."

Senator Says Bitterness May Ruin Prospects of Session; Woman Solon Takes Floor

(The Associated Press)

Washington, Jan. 13.—Senator Norris, independent, Nebraska, expressed concern today lest bitterness produced by the antilynching bill fight dim chances of enacting President Roosevelt's legislative program.

The veteran Nebraska independent said both sides in the fight "feel very deeply" about the issue, and that a continuance of the debate may open wounds difficult to heal.

Norris said proponents and opponents of the pending bill would be equally responsible if the fight endangers the administration program.

He said "psychological differences" which may result from the battle would have a more serious effect on Mr. Roosevelt's program than the loss of the time consumed in the filibuster itself.

Woman Joins Battle

On the Senate floor, Arkansas' woman senator, Mrs. Hattie Caraway, carried on the fight against the proposal, which would provide for federal prosecution and fining of sheriffs who fail to protect prisoners, and would make counties liable for payments to the families of lynching victims.

Mrs. Caraway won a rest for her Southern colleagues by sending to reading clerks a lengthy report made by a minority of the judiciary subcommittee in 1857. The report, she said, bolstered her argument that the antilynching measure is unconstitutional.

The reading continued more than two hours. Most senators left the floor and Mrs. Caraway passed the time reading a newspaper and visiting the gallery.

'Insult to South'

When a filibuster developed against the antilynching bill during the recent special session, Majority Leader Barkley, Kentucky, objected to filibusterers' efforts to have lengthy documents read by clerks. He raised no objection to Mrs. Caraway's procedure, however.

The Arkansas senator, attired in simple black, also read an address denouncing the antilynching bill, terming it an "insult" to the South.

"Much has been said about a 'filibuster' against this bill," she told the Senate. "I do not think this is a filibuster. This is a debate which is proceeding in such a way that the whole country knows there is more pending on the lynching."

"This effort to pass the bill," she continued, "is just one of many efforts to take away from our section the influence we have had."

She listed action of the 1936 Democratic national convention in throwing out the two-thirds rule for the nomination of presidential candidates as another effort to lessen the influence of the South in national affairs.

She asserted that "some groups now are seeking to destroy the South, not only politically, but in business competition with other sections."

Capital 'Crime Wave'

Senator McKellar, Democrat, Tennessee, read a column by Mark Sullivan which said that lynching had become "the rarest of crimes" and that the antilynching bill would destroy states' rights.

He then quoted newspaper reports of a "crime wave" in Washington, and shouted:

"There were seven holdups in this city last night, right under the eaves of the capitol, right in the reach of senators and representatives, and the federal government has all the power of law enforcement here.

"Now they come and want to give the federal government power over all the states, when only eight lives were lost by lynching during 1937."

Senator McKellar said, should turn its attention to "gangster murders" if it wishes to stamp out crime.

PRESIDENT TO ASK SPECIAL FUND FOR RELIEF PURPOSES

Deficiency Appropriation of $250,000,000 to Be Sought, Is Belief

(C., 1938, by International News Service)

Washington, Jan. 13.—President Roosevelt has decided tentatively to ask Congress for a special deficiency appropriation of between $250,000,000 and $300,000,000 for unemployment itself, it was learned tonight.

A special message on relief will be sent to Capitol Hill in February. According to White House sources, it will stress these points:

1. The recent jobless census showed approximately 11,000,000 unemployed; recent layoffs have increased this figure.

2. The peak relief load will be reached in February, with some 2,000,000 on the rolls; it will taper off in March and spring months as a definite business upturn becomes evident.

3. Present funds will be sufficient to meet relief demands through February and March, but additional funds will be required for the last quarter of the fiscal year—April, May and June.

4. All jobless, who can work, can obtain employment on federal relief projects; individual relief checks must be shaved as the number on relief grows, and part of the relief fund, probably $25,000,000, must be distributed among poverty-stricken farmers, particularly tenant farmers.

Decision to call for additional funds was reached by the president and his advisers as new witnesses appeared before the Senate unemployment and relief committee to urge uninterrupted spending to lift the nation out of the recession.

NINE PERSONS HURT IN AUSTRIA RIOTING

(The Associated Press)

Vienna, Jan. 13.—Nine persons, including a policeman, were hurt tonight in renewed rioting by Austrian nazis. Police who quelled the disturbance with their clubs made 25 arrests.

The trouble started when 300 nazis staged a pro-Hitler, pro-Mussolini demonstration at Vienna's west station to welcome 40 Italian military students.

GIST OF THE NEWS

THE TIMES-PICAYUNE, New Orleans, Friday, January 14, 1938.

Chinese kill and wound more than 4000 Japanese soldiers in vain effort to hold city of Tsining. —Page 1

Premier Chautemps' People's Front cabinet resigns when Socialist ministers quit in French political crisis. —Page 1

Increasing desertions, uneasiness in insurrgent territory following Spanish government's capture of Teruel are reported by foreign sources.—Page 6

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Senator Norris warns that bitterness aroused by the antilynching bill threatens Roosevelt's entire legislative program. —Page 1

Three United States cruisers are ordered to Singapore to take part in inauguration of new naval docks by Great Britain. —Page 1

President Roosevelt asks $29,750,000 to carry out the 1937 sugar act in benefit payments to growers. —Page 1

President Roosevelt is reported planning to ask for a deficiency appropriation of $250,000,000 to $300,000,000 for relief needs. —Page 1

The congressional farm conference committee favors an annual cotton production of about 10,500,000 bales. —Page 8

Frank B. Noyes will retire from the presidency of The Associated Press at the end of his present term. —Page 11

Fasting Dean Israel Harding Noe of Memphis continues his activities as physicians warn of collapse unless he eats. —Page 22

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Louisiana state board of pardons declines to recommend clemency for three scheduled to hang between noon and 3 p. m. today. —Page 1

Two U. S. revenue agents testify they found evidence of money "gifts" to State Senator Jules Fisher at a tax hearing. —Page 1

Judge Gleason subpoenas WPA records when a man's wife testifies he held a private job and worked for WPA. —Page 1

Dr. Will Durant, philosopher and lecturer, paints a gloomy picture but predicts that America will solve her problems. —Page 7

FRENCH CABINET DROPS OUT WHEN SOCIALISTS QUIT

Chautemps' People's Front Group Resigns in Political Crisis

ACTS BEFORE TAKING CONFIDENCE VOTE

Premier Left No Choice in Matter, Say Members of Chamber

(The Associated Press)

Paris, Jan. 14 (Friday).—Defense Minister Edouard Daladier today announced the resignation of Premier Camille Chautemps' People's Front cabinet.

He made the announcement in the palais shortly after nine socialist ministers resigned while the Chamber of Deputies was meeting to take action on an appeal for a vote of confidence in the government.

Daladier declared: "The cabinet resigned when the socialists quit."

The ministers gathered in the Chamber of Deputies, prepared to go to the residence of President Albert Lebrun to present their formal resignation.

Left No Other Choice

Deputies said the premier was left no other choice but to tender his resignation to President Albert Lebrun.

The crisis in the government developed quickly after the fate of the cabinet had wavered and forth, when Chautemps told the communists to vote as they pleased on the confidence motion.

Some socialists were angered at his abrupt treatment of the communists while others who were partisans of exchange control decided a statement by the premier in flat opposition meant they were unable to support him.

Socialists left the chamber and a delegation went to awaken Vice-Premier Blum. The decision of the socialist ministers to resign followed.

No Longer Interested

The chamber, which still had before it the question of confidence which Chautemps demanded to reinforce his government in the fight against the falling franc and for social peace, adjourned when the premier said he was "no longer interested in the debate."

The political crisis in the midst of the financial and labor troubles led deputies to avoid a new government be formed quickly.

Names of men whom President Lebrun might ask to form a new ministry already were being discussed in the chamber.

Some believed Chautemps might get the call while others mentioned as possibilities Edouard Herriot, president of the chamber, and Albert Sarraut, hou; former premiers.

Blum Sends Letter

Blum, roused from sleep, sent Chautemps a letter announcing the resignation of the socialists.

"We increased our efforts during the day and night to maintain the majority of the people's front intact around you," he wrote.

"But incidents of the session which just was completed and which socialist deputies noted in their order of the day oblige us to give you our resignation.

"We thank you for the confidence and friendship which you always have shown and beg you to believe in our affectionate feelings toward you."

The order of the day voted by the socialists laid the blame for their resignation both on the communists for not voting and on the WPA job the People's Front and on Chautemps for giving his consent to the communist demands.

Asks Confidence Vote

The Chamber of Deputies had met early today for action on an appeal for a vote of confidence in the People's Front government of Premier Camille Chautemps.

The premier put the life of his cabinet in the hands of the People's Front parties yesterday as spreading strikes and rising franc increased dangers of a political crisis.

The Chamber session reopened Thursday after two adjournments yesterday.

Trio Sits in Shadow of Noose as Last Hope Fades



Photo by The Times-Picayune.

Their last hope apparently gone with denial Thursday of their pleas for clemency by the Louisiana state board of pardons, Owen Cauche, Joseph Ugarte and Anthony Dallao (left to right) await the hangman's noose some time between noon and 3 p. m. today for a bank holdup which resulted in murder.

Graft Payments to State Senator Charged by U. S. Agents at Tax Hearing

WPA, PRIVATE JOB HELD BY WORKER, WOMAN TESTIFIES

Judge Gleason Halts Damage Case, Orders Records Produced

Trial of a damage suit in Judge Walter L. Gleason's division of civil district court was halted Thursday afternoon pending production of WPA records bearing on the employment on work relief of Alexander Coelho, plaintiff, at the same time he was holding a minor private job.

Judge Gleason suspended trial of the case when advised by one of the attorneys, whom he had asked to obtain the records, that the WPA office had rejoined they were "highly confidential" but would be produced if a letter from the court were submitted.

"The court has the power to see these records, and it will see them," said Judge Gleason. "Let a subpena duces tecum issue. The case is continued in the meanwhile."

Production of the records was requested by the judge when testimony in Coelho's suit against New Orleans Public Service Inc. for damages received in the collision of two West End streetcars in December, 1936, revealed that he was on the WPA pay roll at the time of the accident and at the same time employed in a minor capacity by the Lloyd Brasileiro Steamship Company. Judge Gleason expressed a desire to know by what representations or process a man could hold a work-relief job and at the same time be privately employed.

Coelho's wife testified Thursday that her husband during the week prior to the accident worked on his private job from 6 to 8 o'clock in the morning, and on the WPA job from noon to 5 p. m. Receiving notice of a shift in his WPA hours, he did his cleaning up work for the steamship company on a Saturday night and was on his way to the WPA project the following Monday morning when he was injured. His hours at the WPA were changed from time to time, she stated.

With the defendant admitting liability for the accident, which occurred in a heavy fog during the morning hours, trial of the suit revolved around the amount of damages, with the question of the earnings lost by the plaintiff a material issue.

Special Representatives of Revenue Bureau Assert Money Paid in Connection With Ferry Case

Investigation of reports that State Senator Jules G. Fisher of Jefferson parish was receiving "graft payments" from operation of a ferry at Melville led to the filing of deficiency income tax assessment against T. G. Nicholson, one of the ferry partners from 1928 through 1932, internal revenue agents testified Thursday.

Testimony of the agents was offered before J. Russell Leech, Washington, D. C., member of the United States board of tax appeals, in a hearing in the postoffice building here on appeals from deficiency tax assessments and penalties totaling $2297.94 against Mr. Nicholson and his wife for the period from 1929 through 1932.

Mr. Leech, who is in New Orleans to hear appeals of 29 individuals, disposed of seven cases without hearing before the Nicholson case was called Thursday.

Four Cases Settled

Cases disposed of were those of Mr. and Mrs. Nick Fernandez, who consented to entry of a judgment against them for deficiency taxes, delinquency and fraud penalties totaling $2292.96 for 1929, 1930 and 1931; Alfred G. Thomas, who consented to similar taxes and penalties totaling $3652.28 for 1930, 1931 and 1932, and the case of J. R. Terry, against whom a default judgment for $250.74 as tax deficiency was entered.

The Nicholson case was submitted to Mr. Leech late Thursday, shortly after he had ruled that attorneys for the bureau of internal revenue could not question John F. Hartman, certified public accountant who made out the Nicholson tax returns for 1931 and 1932, concerning information he divulged in a conference with government agents while an attempt to compromise the case was being conducted.

Both Warner Blair and Robert S. Bixby, special agents of the intelligence unit of the internal revenue bureau, said that they had discovered the Nicholson case when they were investigating income tax matters of Senator Fisher.

"We had information," Mr. Blair testified, "that R. W. Clopton, Mr. Nicholson's partner in the ferry business at Melville, had paid some graft money to State Senator Jules G. Fisher.

"We went to Mr. Clopton to investigate the matter and were told that the payments to Mr. Fisher were being made by Mr. Nicholson. That is how he came into the present case."

Mr. Blair further testified that he

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$25 Bond Issued by Carrollton in 1873 Is Redeemed

Six of Series Still Outstanding, Says Secretary of Debt Board

The board of liquidation of the city debt Thursday redeemed a $25 improvement bond issued by the municipality of Carrollton in 1873, Miss Mary Gehman, secretary of the board, announced.

Six of the series are still outstanding, she said.

$39,750,000 ASKED TO MEET BENEFITS IN SUGAR MEASURE

Roosevelt Requests Sum of Congress; Louisiana Due $5,000,000

(The Times-Picayune Washington Bureau)

Washington, Jan. 13.—Fear that the 1937 benefit payments to sugar growers might be long delayed was virtually removed today when President Roosevelt asked Congress to appropriate as quickly as possible $39,750,000 to carry out the provisions of the 1937 sugar act prior to July 1, when the present fiscal year ends.

The president's request was made in a supplemental estimate submitted to Congress today. It was immediately referred to the House appropriations committee, where efforts will be made to have it speedily approved.

Approximately five million dollars is still due Louisiana growers for compliance with the 1937 act, and it was feared for a time that the payments would not be made before the 1938 crop was started. Senator John H. Overton and Representative J. O. Fernandez, a member of the House appropriations group, have been working on the matter and said that they will do everything possible to have the fund enacted with a minimum of delay.

Payments in 90 Days

It was not certain today whether the special appropriation would be added to the regular agricultural supply bill or included in a deficiency appropriation measure. Whichever method will be the speedier will be adopted, Mr. Fernandez said. It is expected that payments to the growers can be started within 90 days after the fund is made available.

Meanwhile the agricultural adjustment administration announced a revision of the method previously established for determining proportionate shares for new growers of sugar cane in Puerto Rico for the 1937-38 and 1938-39 crops, commonly referred to as the 1938 and 1939 crops. Proportionate shares for Puerto Rican producers, which are established in terms of short tons of sugar, raw value, determine the maximum amount of sugar cane which a grower may market for conversion into sugar, if he wishes to qualify for the conditional payments provided in the sugar act of 1937.

Revised Method

Under the revised method, new growers whose current production is in excess of 15 tons of sugar may have their proportionate share computed from a base equal to 50 per cent of their current production, rather than from 70 per cent of such production, as provided originally.

This change was made to avoid undue hardship upon new growers, which inquiry showed would result under the original basis. This option will be available, up to a maximum base of 1000 tons of sugar, to new growers who notify October 1, 1937, planted sugar cane for harvest in either of the crop years 1938 or 1939.

New growers who planted sugar cane after October 1, 1937, for harvest in 1938, are limited to a maximum base equal to 25 short tons of sugar, raw value.

The revised determination on proportionate shares, which has been formally approved by Secretary of Agriculture Wallace, supersedes the former determination issued on November 15, 1937.

Fernandez Plans Battle to Obtain Coast Guard Unit

Representative Will Take Issue to Floor of House, He Says

Representative J. O. Fernandez announced Thursday in Washington that, despite the refusal of the House appropriations committee of funds for a Coast Guard life saving station on Lake Pontchartrain here, he would carry the fight for the project to the floor.

Representative Fernandez said that

Three U. S. Cruisers Are Ordered to Singapore for Docks' Opening

(The Associated Press)

Washington, Jan. 13.—Three United States cruisers received orders today to proceed to Singapore to attend the inauguration of new naval docks at Great Britain's powerful Far Eastern naval base.

Naval observers saw in the visit a sign of increasing friendliness between the fleets of the two nations.

The navy's announcement followed immediately after a visit of Admiral Leahy, chief of naval operations, to Secretary of State Hull, during which it was reported the political implications of the visit were discussed.

Officials said the visit to Singapore was being made during the cruisers' return trip to the United

TRIO FACES DEATH AS KILLERS TODAY; PLEA TO PARDONS BODY IS REJECTED

Counsel Attempt to Contact Governor to Intercede for Reprieve But Have 'Very Little Hope'

FAREWELLS TAKEN AS RELATIVES CALL

Clemency Denied Because of 'No New Evidence,' 'Beating Business' Not Backed Up, Long Says

Anthony Dallao, Joseph Ugarte and Owen Cauche, in their condemned row cells at Parish Prison, saw their families for what appeared to be the last time Thursday night after the Louisiana state board of pardons had unanimously declined to interfere in their case.

Edmund Burke and Thomas Craven, defense attorneys for Dallao, told the condemned men they were trying to contact Governor Richard W. Leche by telephone to intercede for a reprieve but that they had "very little hope." The three men are scheduled to hang today between noon and 3 p. m.

The death penalty was imposed on them for the murder of Pierre Rizan, 61-year-old guard, in a robbery of the Third District branch of the Whitney National Bank, Dauphine and Piety streets, New Year's Eve, 1936. They were sentenced October 19, 1936.

In the meantime, Lieutenant-Governor Earl K. Long, chairman of the pardons board, said, that the condemned men's pleas for clemency were refused because "no new evidence" had been introduced at the hearing and because "that beating business wasn't backed up a bit."

Initial Decision Stands

"There wasn't anything presented," he said, "that was strong enough to overrule the initial decision of the court. Defense attorneys for the men failed to back up that beating business claimed by Joseph Oliver one bit.

"We had practically made up our minds before we left the criminal courts building. Then we left and went to supper at the New Orleans Athletic Club. During the meal we reached our decision and phoned the secretary of the board at the district attorney's office."

Official announcement of the board's ruling was made by Laurence A. Sauer, secretary, who said he received the telephone message from Judge William J. O'Hara of criminal district court, who he thought was at The Roosevelt, at 6:30 p. m.

Upon the conclusion of testimony in the hearing at 5:30 p. m., the judge, the lieutenant-governor and Assistant Attorney-General James P. O'Connor, third board member, took the case under advisement. The bailiff in Judge O'Hara's court announced that no verdict would be returned until after they had had dinner.

Relatives Say Farewells

At 10 p. m. Thursday, members of the three men's immediate families bade their last farewells, and, crying and pleading for mercy, were carried from the prison by priests, doctors and deputy sheriffs.

Mrs. Gus Dallao, who had visited her son with his wife and two daughters, was hysterical as she left and screamed and pleaded to be allowed to "kiss my baby." She had to be supported by other members of the family.

Seeing her son for the first time since his conviction was Mrs. Henry Hamlin, Cauche's mother, who left a sick bed to tell her son goodbye. Pale and weak, she was accompanied by Cauche's wife and his two sisters, and was on the verge of collapse as she left the prison. She had to be carried out by doctors.

Ugarte was visited by his mother, Mrs. Clement Boers, and several other relatives. He was composed throughout, crying a little when his mother first came to see him, and when she left, he stretched himself out on his cot.

Dallao broke down momentarily when he first saw his mother and when his attorneys were admitted he thanked them for all they had done and said: "It's tough for an innocent man to be put to death."

Become Calm During Visit

All were nervously excited and crying when they first entered the prison, but became calm during the visit. When the warden announced they must leave they became hysterical again and several of the women fainted.

They were not admitted to the

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J. Raburn Monroe is elected president of the children's bureau of the Louisiana Society for the Prevention of Cruelty to Children. —Page 9

Ernest Lee Jahncke proposes location of two union railroad stations on Jefferson Davis Parkway at Canal street. —Page 9

Five Northern business men arrive here on pleasure boat, bound for Florida waters on fishing trip. —Page 21

A pair of crutches leads to the broken body of a cripple who died to his death from the Mississippi bridge. —Page 12

Testimony and resolutions favoring trunk line railroads' application for freight rate increase are offered here. —Page 19

United Fresh Fruit and Vegetable Association re-elects W. E. Andersen of Topeka, Kans., president as convention here is closed. —Page 19

Mrs. Laurie Schortle, president of the V. F. W. auxiliary, urges preparedness as the best means of preventing war. —Page 21

New Orleans has an indicated shortage of 15,000 homes, Wilson Callender tells New Orleans realtors. —Page 22

Mrs. C. W. Gilmer is re-elected president of the Charity Hospital Guild; unit sets record in work in 1937. —Page 23

All of the sewerage and water board's $2,560,000 WPA program is reported finished except pumping plant. —Page 25

Stock market lower. French franc in bad break. Federal bonds up. Wheat strong. Cotton narrow. Sugar erratic. —Pages 26, 27

New Orleans motorists are declared guilty of carelessness by "Wild Bill" Hickox, former racing driver, in a talk. —Page 32

when the bill reaches the floor of the House he will propose an amendment which would allow the appropriation of $80,000 to construct bulkheads in the lake in front of the site chosen on the west side of the mouth of Bayou St. John.

If the bill providing funds for building three bulkheads, first step necessary in construction of the station, is voted down by the House, Representative Fernandez said he would carry the fight to the Senate, where he is assured of support by the Louisiana senators and several others.

Representative Fernandez, appearing before a hearing of the committee, pointed out that the cost of the station here would be repaid the government by the annual saving in the suppression of smuggling, of which, he said, there is a "considerable amount."

Officials said the visit was not in reference to the troubled Far Eastern situation, but other informed persons felt it was a symbolic gesture for the benefit of Japan.

The cruisers are the Memphis, Milwaukee and Trenton, each 7,700 tons, commanded by Rear Admiral Julius C. Townsend. They must be in Singapore by February 14.

They left Honolulu Tuesday, in company with the 10,000-ton cruiser Louisville, en route to Sydney, Australia, to attend the celebration of the 150th anniversary of the founding of Australia. They departed from San Pedro, Cal., January 3.

The Louisville will remain in Australian waters for about six weeks, visiting Sydney, Melbourne, Adelaide, Auckland, and possibly Hobart, Tasmania, and returning by way of Tahiti, Society Islands, South Pacific.

States. Observers pointed out, however, that Singapore was far off the return route unless the cruisers returned by way of Europe.

The three light cruisers will see the most powerful and most strategic naval base in the Far East. The Singapore base provides protection not only for the British Far East possessions but also for the Dutch, French and Portuguese colonies Malaya and Siam.

It could also furnish an obstacle to any power attempting to attack the Philippines.

Singapore now has the world's largest floating dry-dock, constructed in England and towed to the Far East. It is capable of housing ships up to 55,000 tons.

The base is able to dock and repair simultaneously two of the largest warships Britain possesses.

pality of Carrollton on May 1, 1925.

The municipality of Carrollton, according to Horace Philips, secretary of the board, was absorbed into the city of New Orleans in 1874, and the city of New Orleans assumed the outstanding bonds of Carrollton.

Mr. Philips said that 10% of the 5% improvement bonds were issued by the municipality of Carrollton, and about six of them still are unredeemed.

The bond redeemed Thursday was presented by George Zerlin, antique dealer, 611 Conti street. At the time the bond was issued, A. E. Brice was mayor of Carrollton and F. Deibel treasurer.

The board, at its meeting, divided the surplus of the 1 per cent sales tax between the city government and the sewerage and water board giving each $11,500.

Plan for Exempting Homesteads from Taxes Distorted, Says White

By Edgar A. Poe

(The Times-Picayune State Bureau)

Jackson, Miss., Jan. 25.—Responsibility for putting into execution his broad proposal to forever exempt homes of taxation, was placed upon the shoulders of the Legislature by Governor Huch L. White today in a message to the Senate and House. The message was read to the House this afternoon. The Senate, after a two-hour and 20-minute session, recessed at noon until 10 a. m. tomorrow without hearing it.

Describing his message as a "clarifying statement" in connection with his biennial message of January 5, Governor White said that his tax-free homes plan has been "distorted almost beyond recognition."

The chief executive said that he knew from the outset that the objective presented to the law-making body "was a legislative, rather than an executive responsibility." He contended that the plan is "potentially workable," and asserted that should the Legislature decide to make the suggested investigation through a recess committee he would call a special session of the Legislature any time the committee was ready to submit its report.

Senator John Stewart Watson, Lex-

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Times-Picayune, published as THE TIMES-PICAYUNE. (New Orleans, Louisiana) • January 14, 1938 • Page 3

LENIENCY DENIED FOR TRIO FACING GALLOWS TODAY

Board of Pardons Refuses to Intervene After Day of Deliberation

Continued from Page One

cells, but spoke to the three men through double bars across a hallway. Unable to kiss them good-bye, they threw kisses to them as they were led away by the doctors and deputies.

As their families left, Deputy Sheriffs J. S. Wilbert, Boyce O'Brien and John Payne took up the "death watch." Dallao and Cauche were on the verge of collapse. Ugarte was the only one who appeared to be calm.

The Rev. A. J. Mulreany, C. S. C., chaplain of the prison, and the Rev. George MacNamara, C. S. C., entered the cells about 11 p. m. and led the men in the recitation of the rosary and the litany of the Blessed Virgin Mary. They stayed with them until midnight.

Visitors Barred Today

The condemned men will not be allowed to have any visitors today. It was indicated that Cauche would be the first to go to the gallows, followed by Ugarte and Dallao. Only official witnesses, the coroner and his assistants, and newspaper representatives will be allowed to witness the execution.

Official notification of the Board's denial of their pleas for clemency was taken to the condemned men in Parish Prison by Captain George Miller, warden, who was accompanied by a newspaper reporter. The three men received the news in silence.

Dallao, who was pacing up and down his cell when Captain Miller arrived, was speechless at first and just shook his head. Then he asked the warden to telephone his mother and ask her to come and see him. He also requested that he be allowed to see two of his aunts.

Cauche almost collapsed when he was told that he must hang. He walked up to the bars of his cell to hear Captain Miller's words, then turned and sat on the edge of his cot, burying his head in his hands and remaining silent.

Ugarte, in a nearby cell, had overheard the warden notify the other two men. When Captain Miller approached, he merely asked if the warden would telephone his mother. Then he turned away and declined to say anything further.

Mass Set for Today

Captain Miller, as he left the condemned men, told them that everybody must leave the prison by 10 p. m. Thursday. Speaking to the reporter, he said that everything was in readiness and that the men would be hanged between noon and 3 p. m. today.

At 8 a. m. today, he said, the three men will attend mass and receive Holy Communion in the prison's chapel. The Rev. A. J. Mulreany, C. S. C., chaplain of the prison, will say the mass especially for them.

After mass the condemned men will have their breakfast and at 11 a. m. Sheriff George Williams will read the death warrant to them for the second and last time. They will then go to the chapel, where Father Mulreany will lead them in the Way of the Cross.

They will be returned then to their cells, where Father Mulreany will pray with them until noon. At that time, it is scheduled, the death march will begin. Captain Miller said that it is not known yet which of the three will be the first to walk to the gallows.

Defense attorneys produced witnesses before the board in an attempt to prove that testimony which convicted Dallao, Ugarte and Cauche was conflicting and unworthy of belief.

District Attorney Charles A. Byrne, representing the prosecution before the pardon board, traced the history of the crime through a group of witnesses and in his argument said: "These murderers were convicted of the foulest, most premeditated murder that was ever committed in the parish of Orleans."

Richard A. Dowling, attorney for Cauche; G. Wray Gill, attorney for Ugarte, and Thomas Craven and Edmund Burke, attorneys for Dallao, began proceedings before the board by reading the applications of the three men for clemency, all of which were based partly on the repudiation of the testimony given at the trial by Joseph Oliver, chief state witness.

Oliver, called to the stand by the board, said: "Not a word of what I testified at the trial was true. New Orleans police beat me and threatened me until they made me testify and Chief of Detectives John J. Grosch promised that I would get a life sentence and that he would get me out of the penitentiary in two years if I would confess that I had a part in the crime and name Dallao, Ugarte and Cauche as others in it."

Describes Trip Back

Speaking distinctly in clear and concise language, Oliver gave a detailed account of his arrest in June, 1936, in Los Angeles, Cal., and a subsequent three-day trip back to New Orleans in the custody of Detectives Walter Klemmer and Joseph Mock of the New Orleans police force.

"They beat me all the way from Los Angeles to Baton Rouge with pistols, blackjacks, their fists and everything else," Oliver told the board.

"They took me into a big room in the city jail at Baton Rouge and every man in there, including Chief Grosch and other detectives, had his coat off and his sleeves rolled up. They knocked me unconscious twice and brought me to with water in my face. They kept beating me, trying to make me confess, but I denied knowing anything about the crime, until finally Chief Grosch put his gun to my head and told me he could shoot me and get away with it. Rather than be beaten any more or killed, I confessed."

Clement Borero, stepfather of Ugarte, next on the stand, said he talked with "Red" Daniels, who formerly worked in the East Baton Rouge prison, where Oliver was held for five days, and was told by Daniels that Oliver was "mortally beaten" when he was admitted to the prison.

Peter Failla of New Orleans, medical student at Louisiana State university, said he heard Daniels say that Oliver's body was "badly beaten."

Warden Louis A. Jones of the state penitentiary testified that J. S. Bergeron, Leon Moody and Woodrow Manasco, inmates of the penitentiary, made statements concerning the condition of Oliver when all four were held in the Baton Rouge parish prison. They made the statements without coercion or intimidation, he said.

These statements were presented to the board by Mr. Gill. The three stated Oliver had been beaten and was bloody when admitted to the prison.

'No Signs of Violence'

J. T. Babin, parish prison warden, brought to the stand by Mr. Byrne, however, contradicted the statements of the prisoners, saying that Oliver was unharmed and was in good health during the time spent in Baton Rouge. "There were no signs of blood, scars nor bruises," he said, "and Oliver had to change clothes and bathe before he was admitted to the prison. I watched him."

Mrs. James Kavanaugh, Sr., mother of James Kavanaugh, Jr., who was convicted of participation in the same murder and who later hanged himself in the Seventh Precinct station, told the board that Chief Grosch had promised to get a pardon for her son if he would testify against Dallao, Cauche and Ugarte.

"The detectives brought James to see me at my house July 10, 1936, and the next day newspaper reporters told me he hanged himself in the Seventh Precinct station," she said.

Mrs. Sam Saladina and Mrs. Agnes Townsend, sisters of James Kavanaugh, corroborated Mrs. Kavanaugh's testimony.

Defense attorneys accused Chief Grosch of causing Kavanaugh to be placed in the "Red Hat" gang at the state penitentiary in an effort to make him testify against Dallao, Cauche and Ugarte, but the penitentiary warden denied it.

Reporter Testifies

Mrs. Orene Muse, Baton Rouge newspaper reporter, placed on the stand by the district attorney, said she saw Oliver the day his confession to the crime was made and that she noticed no signs of beating. J. S. Severio, Baton Rouge detective, told the board he saw Oliver, who looked normal and made no complaint.

Detectives Mock and Klemmer, under questioning of the district attorney and cross-examination of the defense attorneys, traced their movements from the time Oliver was taken into their custody in Los Angeles until he was delivered to the Orleans Parish Prison.

"We never touched him except to put his handcuffs on and take them off," Klemmer said.

Baton Rouge instead of being brought to New Orleans was because I knew Wray Gill was trying to get Oliver away from me to keep him from testifying against his client, Ugarte. Oliver didn't want to see Gill. He told me he didn't want Gill for a lawyer."

Explains Choice of Jail

He said Kavanaugh was placed in the Seventh Precinct station instead of the Parish Prison merely to keep him from coming in contact with other members of the robbery gang before the district attorney had an opportunity to talk with him.

Reads Confession

District Attorney Byrne read before the board the confession made by Oliver, who said he drove the car in which the robbery gang escaped from the scene of the crime and [illegible] charged that the three convicted participated in the robbery.

Kavanaugh in his confession said he was the driver of the getaway car. Defense attorneys charged that the state planned to use Kavanaugh as the driver of the car in the original plan of the crime to be presented before the court, but that after Kavanaugh's death Oliver was named as the driver to make the story of the crime complete.

Chief Grosch described Kavanaugh's first confession, saying it was incomplete. "I never believed all of it," he said.

Mr. Craven said the circumstances of Kavanaugh's death in the Seventh Precinct station were very irregular, but that if Kavanaugh did hang himself, it was to keep from being forced to testify against innocent men."

Letter in Evidence

Included in the documentary evidence offered by the defense was a letter alleged to have been written by Kavanaugh to his brother-in-law, Sam Saladina, saying he would not testify against Dallao, Cauche and Ugarte to get out of the penitentiary.

"Sam, I'm not going to do that to get out, and I wish you would tell my mother to go and tell the party she came up here to (the penitentiary) with that I'm not going to," the letter read. "Ever since I said I would I haven't had a night's sleep."

Chief Grosch and Mrs. Kavanaugh testified that they went to Angola together to see James Kavanaugh, but they told different stories of what took place. The mother said her son refused to agree to testify, and the chief of detectives said he admitted his guilt to his mother for the first time at the penitentiary and told her he would come to New Orleans "and tell the whole story."

Appeal for Justice

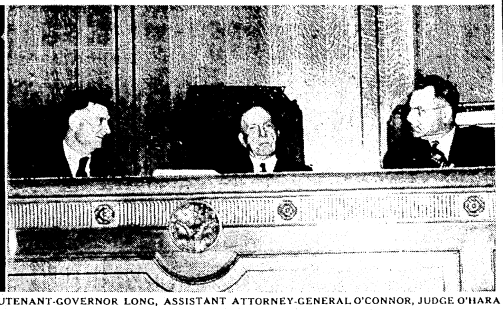
Defense attorneys appealed to the pardon board, they said in their arguments, "for justice and not for mercy or sympathy for the condemned men."

Mr. Burke and Mr. Craven stressed what they termed inconsistencies in the testimony that was offered at the trial of the men. They pointed out that several of the witnesses of the crime said only three men entered the store, while Oliver testified four men were present.

Mothers of Doomed Men Hear Oliver Testify Before Pardon Board



JOSEPH OLIVER



LIEUTENANT-GOVERNOR LONG, ASSISTANT ATTORNEY-GENERAL O'CONNOR, JUDGE O'HARA





—Photos by The Times-Picayune.

Mrs. Gus Dallao (wearing glasses) is shown as she attended the hearing of the Louisiana board of pardons Thursday in the criminal district courtroom, at which the body received testimony on the mercy application of her son, Anthony, and two other men condemned to die today for a holdup murder. She wept at the board's verdict that her son must hang, the same punishment dealt another of her sons, George, two years ago in Gretna. Mrs. Clement Borero (right), mother of Joseph Ugarte, one of the doomed trio, also was at the hearing.

BANDITS ROB MAN OF $30 AND ESCAPE

Eddie Pennino, 24-year-old operator of a filling station at 3801 Tulane avenue, was robbed of $30 Thursday night by two unidentified men who entered his automobile as he was leaving to go home and drove him several blocks away from the station.

Pennino, who lives at 5146 Baccich street, told police he closed the station at 8 p. m. and was getting in his car on Ulloa street, near Tulane avenue, when one of the men walked up, placed a gun against his side and ordered him to "push over" from the seat behind the wheel.

The bandit drove a half-block back Ulloa street, then stopped and picked up the second man, who got into the rear seat. Holding guns on Pennino, they drove to Bienville street, between South Scott and South Pierce streets, and stopped there, he said.

Pennino said they picked up the money, which was in a bag on the floor in front of the car, then left and got into an automobile, which had been following, and the lights of which had been turned off. When they left Pennino notified police.

TAX EXEMPTION PLAN DISTORTED, DECLARES WHITE

Mississippi Chief Puts on Solons Burden of Relieving Homes

Continued from Page One

ington, introduced a concurrent resolution this morning requesting Governor White to appoint a committee to study ways and means to make possible the homestead exemption plan. The resolution provides that the committee report its finding and recommendations at the current session.

Appropriate $2,291,500

Eight appropriation measures, totaling $2,291,500, passed the House this afternoon. One of these was a $2,000,000 appropriation for old age pensions. On amendment by Representative A. M. Cockrell, Jasper county, the budget commission's recommendation for an appropriation of $1,750,000 for old age assistance was increased by $250,000. The amended measure was passed on roll call after it had been approved by a vote of 66 to 54.

If the measure is approved by the Senate and subsequently becomes law, old age assistance in Mississippi will amount to from $8 to $9 a month for each pensioner, depending upon the number receiving aid, officials estimated. Approximately 17,000 pensioners each are presently receiving about $3 a month.

A bill introduced in the House on the opening day of the session to repeal a 1934 statute authorizing the sale of light wines and beer today was referred to a subcommittee of the committee on liquor traffic where it will be held for consideration for 15 days.

The subcommittee members are Ben C. Sullivan, Simpson county; Benjamin A. Gulder, Warren county; Roy D. Smith, Copiah county, and John J. McGrath, Madison county.

A bill designed to repeal the prohibition law, prohibiting the sale of hard liquors, will be introduced Monday by Representatives Sam L. Wright, Leflore county, and T. N. Gore, Quitman county, they asserted today.

After going into executive session early this afternoon, the Senate committee on roads, ferries and bridges was still meeting tonight in connection with Governor White's report in which he submitted the names of the three highway commissioners for confirmation. The commissioners are Chairman Hiram J. Patterson, A. L. Linker, and Sidney T. Roebuck.

A number of persons were summoned during the afternoon to appear before the committee of which Senator Robert Burns of Rankin county is chairman. Some legislators said the long session indicated that a fight may evade on the floor of the upper branch when the names are submitted for confirmation.

Bitter debate marked the Senate session as the outgrowth of a resolution by Senator George Ritchey, Tupelo, which calls for a Senate investigation of the state highway department and its $12,500,000 expenditures in connection with the current road-building program.

Senator Ritchey charged in a speech from the floor that some of the concrete over-laden from paved highways constructed under the program showed that they were not of required thickness as specified by the federal bureau of good roads.

HENHOUSE IS CLUBHOUSE

(International News Service)

Carlsbad, N. Mex., Jan. 13.—Grasping hammers and saws, 11 young women who call themselves the "Galagang" transformed a henhouse on the farm of George B. Brown into a clubhouse. The girls made all the necessary repairs on the structure with the exception of building a chimney.

Pittsburgh Insurance Man to Address Underwriters



HOLGAR J. JOHNSON

JOHNSON PREDICTS BETTER BUSINESS

Underwriters' Official, Here for Meeting, Is Optimistic

An optimistic point of view toward general business conditions was expressed by Holgar J. Johnson, Pittsburgh, Pa., vice-president of the National Association of Life Underwriters, when he arrived here Thursday night to attend the 1938 sales congress of the New Orleans Association of Life Underwriters, which opens today.

"Business is good all over, and I come here to sound an encouraging note," Mr. Johnson said. "Within three months I expect the country to be back to the fundamental level, and within a year I expect business to be booming.

"But before this nation can come back to a full enjoyment of complete business recovery, the spectre of another great war must be banished from the earth. All barriers to international co-operation must be broken down, to the end that the feeling of insecurity which nearly all nations feel will be removed. Another world war must become not only unnecessary but impossible and unthinkable."

Mr. Johnson, who came here from Washington, is scheduled to leave tonight for Miami, Fla. He is stopping at The Roosevelt.

The congress will open at The Roosevelt at 9 a. m. In addition to Mr. Johnson, speakers on the program are Joseph M. Gantz, Cincinnati, Ohio; J. T. Thompson, Little Rock, Ark.; Roy B. Lanham, Washington, and Gayle F. Johnston, St. Louis, Mo. Underwriters from Louisiana and Mississippi are expected to attend.

CLUE SCARCITY BALKS SOLUTION OF DUAL MURDER

Motive Lacking, Footprints Absent from Snow Surrounding House

(The Associated Press)

New York, Jan. 12.—Absence of clues handicapped Nassau county police and New York city crime scientists tonight as they attempted to solve the puzzling murders of Mrs. Lenida Waite and Miss Jean Schuetlain.

The bodies of the two neighbors were found yesterday in Mrs. Waite's modest home in quiet Elmont, Long Island. Each had been shot through the head. The wrists and ankles of each were bound with silk stockings.

Inspector Harold H. Ring, head of the detective division of the county, piecing together the pattern of the slayings, found these points stood out:

1. There was no apparent motive—no theft, other than the removal of a watch, was discovered, although $100 in cash was in the house; Mrs. White, a 59-year-old widow, had no admirers and Miss Schuetlain was a shy girl who had dropped in for a neighborly call; neither had been attacked.

2. The bullet which killed Mrs. Waite was not found; that which slew Miss Schuetlain was located.

3. Mrs. Waite's dog, known as vigilant, was not heard to bark at any time close to the hour of the killings, determined by the autopsies to have been about 4 p. m.

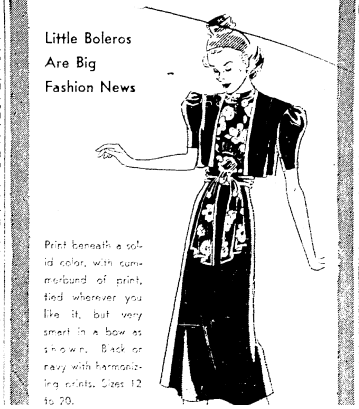
4. There were no footprints in the snow around the house.

5. There were no signs of a struggle.

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off," the detectives said.

Chief Gesch told the board that Oliver's confession in Baton Rouge was voluntary, and that Oliver said Mock and Kleinmer "treated him swell" on the trip to Louisiana.

Admits Promises

"Kavanaugh and Oliver told me practically the same story of the robbery," he continued. "They both confessed to their participation in the robbery of the Third District branch of the Whitney National Bank, Dauphine and Piety streets, and told just how the plans were carried out.

"I did tell Kavanaugh I would try to get him a pardon if he testified against Cauche, Dallao and Ugarte. And I promised Oliver a life sentence, with the district attorney's approval, if he would testify."

Chief Gesch said Oliver was held in Baton Rouge five days at his own request and not to allow his wounds to heal, as the defense attorneys had charged.

"Another reason he was kept in jail was to keep him from robbing the bank, while Oliver named five persons.

"The conviction of our clients was based entirely on the perjured testimony of Joseph Oliver," Mr. Gill said. "This man is an admitted liar. You members of the pardon board may not have believed him when he came in here this afternoon and repudiated his testimony, but he has been proven to be a liar at one time or another. You can't send a man to his death on the testimony of a witness like that."

'Sworn Duty' to Perform

Mr. Dowling based his plea for clemency for Cauche on Oliver's repudiation of his testimony. He said the state's chief witness had proven himself a liar and that no other testimony but Oliver's implicated Cauche in the crime.

The district attorney replied: "I'm not a bloodthirsty man, but I have a sworn duty to perform. I am morally convinced that Dallao, Ugarte and Cauche are guilty. They were

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