

# MERRELL CLEARED IN HIGHWAY PROBE

## Bevis Tells White He Found No Facts to Bear Out Myers' Accusations.

BY W. C. HOWELLS.  
Plain Dealer Bureau.

COLUMBUS, O., March 23.—Charges brought against Highway Director O. W. Merrell by Secretary of State George S. Myers fell today when Finance Director Howard L. Bevis rendered the report of his investigation to Gov. George White, completely exonerating the cabinet member of any questionable conduct.

Myers charged that Merrell had contracted for truck parts from the state of Michigan at a cost of about \$7,000 and then had purchased these parts from an Ohio concern for about \$12,000.

The secretary of state demanded that Gov. White summarily discharge Merrell and the governor then ordered Director Bevis to investigate.

"Closed Incident."

"There is no evidence of graft or bribery in this case," Bevis reported to the governor late this afternoon.

The governor's office indicated that the thing now is a closed incident. A state of war between the administration and the secretary of state has existed since the governor indicated that he would back the bill introduced by Representative Hugh A. McNamee (D., Cleveland), transferring the division of motor vehicle registration from the office of the secretary of state to the highway department where Gov. White originally intended to legislate.

"What Bevis Found."

"Ford Hark and two associates agreed to purchase from the state of Michigan a supply of Liberty motor truck parts left over when Michigan transferred the use of Liberty trucks," Director Bevis said in summarizing his findings.

"They offered to sell such of these parts as were new and usable to the Ohio Highway Department at a price much less than the state was paying for similar parts from other dealers."

"This offer was accepted and the parts were ordered delivered to the state highway garage at Marietta."

"Upon inspection by a representative of the state highway department and a representative of the State Highway Department at Marietta, it developed that some of the parts listed in the Michigan inventory were not suitable for the state use."

"What Merrell Did."

"That accepted, at the price agreed upon, was \$11,000 and a voucher was issued to the Ford Hark Auto Supply Co. for this amount."

"It was then learned for the first time by the state auditor's office that the price being paid the state of Michigan for the parts was \$7,000."

"When this was learned by the state auditor, he requested the state auditor not to honor the voucher for \$11,000 until further investigation could be made."

"Conferees followed between the auditor's office and the highway department and the Hark company, resulting in an agreement to pay the state of Michigan direct the \$7,000 due it. The Ford Hark Auto Supply Co. was paid \$225,000 for the other parts included in the shipment from Michigan were donated to the state."

"The original agreement to purchase the parts from the Ford Hark Auto Supply Co. was stipulated that it was made without taking into account the purchase price."

"Had the purchase been made at the agreed price, the state auditor would have credited the parts which it accepted at a large saving below the current market price."

"The representative of the state auditor's office and the highway department with this transaction from the time the goods were delivered says that in his judgment all the officers of the highway department acted in good faith."

Acting Leaves \$100,000.  
LOS ANGELES, March 23 (AP)—Frances S. Johnson, actress, left an estate in excess of \$1,000,000 which was divided today by a probate court. A large part of the estate was an inheritance from a wealthy aunt who died in Scotland about four months ago.

# Ohio 'One-Man Bloc.'

## White Predicts Passage as Emergency; Delinquent Tax Bill Passes House.

(Continued From First Page)

Legislation and taxation of betting at horse races. The racing bill has passed the Senate and is now before the House with amendments reducing the percentage of bets which tracks may retain and increasing the percentage which the state will collect.

Transfer of the automobile registration bureau from the secretary of state's office to the state highway department and creation of a state highway patrol.

These last named bills, sponsored by the administration, passed the House over opposition created by Secretary of State George S. Myers and are now before the Senate.

Flaws and Confusion.

The state beer control bill, introduced by Senator Joseph N. Ackerman (R.) of Cuyahoga, was found to contain a mass of flaws and a jumble of confusing language when the Senate Judiciary committee put it up for consideration.

With approximately 100 minor amendments necessary to clarify the language and intent of the bill, it was found necessary to reprint it for the fourth time.

The bill is expected to be in shape so that the Senate can pass it Monday or Tuesday.

Like the D. C. measure, the Ackerman bill proposes in clear cut terms to prevent any possible return of the old wine license.

It specifically will outlaw the use of a bar and will require that all beer consumed on the premises must be delivered to tables and drunk there.

Ohio's measure includes amusement parks among places where beer may be sold. It also specifies that a motorist may appear in restaurants, hotels and incorporated clubs.

Aided by the message from Gov. White, urging immediate adoption of the beer bill as a revenue measure, the House passed the bill.

The bill to remit penalties and interest on delinquent taxes, introduced by Senator Frank C. Miller (R.) of Summit, was passed by the House today by a vote of 107 to 3.

As amended by the House, the bill provides that from the effective date of the bill until the February 1, 1934 tax settlement, penalties and interest on delinquent taxes will be remitted if the current taxes are paid.

As passed by the Senate, the bill provided for a reduction of 10 percent of the back taxes if the taxpayer paid the other 90 percent in cash.

The bill now goes to the Senate for concurrence in the House amendments.

It was pointed out on the floor of the House that the bill will add all present state taxpayers, since any money brought into the county treasury by the bill will serve to reduce the tax levies which otherwise would have to be made to carry along the state.

The Senate labor committee today recommended for passage the old age pension bill, which was passed by the House.

The committee amended the bill so that the age limit for beneficiaries was raised from 65 to 70, and that the amount of benefits were reduced from \$30 and \$25 a month to \$40 and \$20.

The measure will carry no appropriation to put it into effect.

Disease West Side Housing.  
Sanitation and housing on the West Side will be discussed at the meeting of the West Side Community Council today.

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# ASSEMBLY CLEARS DECKS FOR BEER

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# HOODS RESIGN AS FUND TREASURERS

## Transfer of \$600,000 in Guardian Was Regular, Organization Says.

(Continued From First Page)

Resignation of J. Arthur House, former president of the Guardian Trust Co., as treasurer of the Cleveland Community Fund was announced yesterday following a meeting of the Fund's executive committee.

In accepting the resignation, the executive committee went on to say that it considered "entirely regular and in accordance with the Fund's bylaws" the resignation of House as treasurer of the Fund's \$600,000 demand deposits were transferred on Jan. 13 to time deposits.

All but \$5,000 of this amount is held in the Guardian Bank, and, according to Kenneth Sturges, general manager of the Fund, has been temporarily discarded as assets.

Adams' Statement.

Following the executive committee meeting yesterday, Charles E. Adams, general chairman of the Fund, issued the following statement: "The executive committee today accepted with regret the resignation of J. Arthur House as Fund treasurer."

"Mr. House's letter of resignation, dated March 21, is as follows: 'Dear Mr. Adams: In view of the recent events and particularly my resignation as president of the Guardian Trust Co., I have decided to resign my position as treasurer of the Cleveland Community Fund, to take effect at the pleasure of the council and which should be effective as soon as possible.'"

"The executive committee authorized Mr. Adams to send the following letter to Mr. House: 'The executive committee, at its meeting today, accepted with sincere regret your resignation as Community Fund treasurer. The committee recorded its warm appreciation of your long service to the Fund over a long period of years, not only as Fund treasurer in the years 1924-5 and 1927 to the present time, but also as a Division A representative since 1921 and as a loyal and active member of the Community Fund Council since January, 1922. We are very hopeful that you will find it possible to continue your active participation in the Fund's work.'"

"Entirely Regular."

"In this connection, the executive committee also recorded its view that the transaction whereby the Community Fund's \$600,000 demand deposits were transferred to time deposits in the Guardian Bank, as the Fund's designated depository bank, was entirely regular and in accordance with the Fund's usual policy of previous years."

Adams said that the Fund's present plan of having all disbursements made by a special committee consisting of James R. Sturges, E. E. Green, and J. H. Smith, with the Cleveland Trust Co. as depository, would be continued in effect during the present emergency.

The selection of a successor to House as treasurer, Adams said, will be made at a later date by the Fund council.

The executive committee also authorized Adams to send a letter of condolence to the family of the late Warren S. Hayden, who was chairman of the executive committee at the time of his death, and to appoint Joseph P. Smith, pastor and state K. of C. chaplain.

Bishop Joseph Schrems and Auxiliary Bishop James A. McFadden will make brief talks at the closing service.

24, WILL BE MINISTER  
M. H. Sommerfeldt to Take West Side Church.

A man who will probably be the youngest district minister in the Cleveland district will be installed in a service Sunday morning at 10 at Trinity Evangelical Lutheran Church, Lorain Avenue at W. 30th Street.

His candidate, Martin H. Sommerfeldt, a graduate of Concordia Seminary, St. Louis, last June, whose home is at 4120 Trowbridge Avenue S. W. He is 24 and has been called by the congregation at the vacancy caused by the death of Rev. Francis Pieper.

The service will be in English and German in charge of Rev. J. J. Keller, pastor of Christ church and Sommerfeldt's former minister, assisted by Rev. J. H. Meyer, pastor of St. Paul's Church, Lakewood.

After a meeting yesterday at which representatives of the city and the women's institutions operated by the city, said the clubs were most opposed to the housing of destitute, homeless women in Central Station, where they would come in contact with women who had been arrested.

Explains Early Closing.  
Asked last night why he had ordered the bureau closed a week in advance of the date set by the mayor, Matwicz said the new safety director, E. W. Adams, had twice talked to him about the closing and that he concluded that action should be taken immediately.

Mayor Miller last night said he had anticipated that the bureau and the girls' farm might be closed a little before April 1, so that this part of his economy program would certainly be in effect for the full nine months, as he planned.

"Because the city's income is so drastically reduced this year that some services must be eliminated and many of them curtailed, we have been in the position that we will suspend the services affecting the fewest people," Miller said. "I fully realize the worth of the women's bureau and the girls' farm, but they are not so many of them; but they will save the overhead required for cleaning, cooking and maintenance. We will keep the sixteen policemen in charge of the girls' farm, but the chief will be better able to direct their work."

# Roosevelt to Have Pool at No Cost to Treasury

## 44 Newspapers Have Raised Fund to Give Executive His Best-Suited Daily Exercise.

(Continued From First Page)

WASHINGTON, March 23.—(AP)—The White House is to have a swimming pool soon but the money won't come from the treasury. A movement started by the Daily News of New York and joined by 43 other papers already has raised more than enough to construct a small cement tank approximately 20 by 40 feet, where President Roosevelt can take his much needed exercise.

The newspapers began the campaign without the chief executive's knowledge but he is inclined to accept the fund for several reasons. One is that he does not want to take any money from the depleted treasury.

Another is that he feels a declination would come as a rebuff to those many of them school children who have contributed generously to the fund. Then, too, the president since he took office has keenly missed the form of exercise best suited to him.

Present plans are for the pool to be built in the west wing of the White House between the executive offices and the White House proper.

Sponsor of the fund intended to have an elaborate outdoor pool constructed on the south grounds of the White House, but Mr. Roosevelt vetoed that idea because he did not want to change in any way the present architectural design of the executive mansion.

The pool, which is planned will cost about \$10,000, which is all that will be accepted from the fund already raised.

Lieut. Col. U. S. Grant III, director of the office of public buildings, already has made a preliminary survey preparatory to starting work.

Probably all that will be necessary to clear the way for the tank is to rip out a partition and take up a portion of the floor. The space is being used now by the White House gardener.

An appropriation of \$50,000 for a White House pool was included in the independent offices appropriation bill, which failed of final passage. It was made known today at the White House that the president will use the Commerce Department inspection boat, Sequoia, for brief sea journeys.

Two Win Scholarships  
Mather Graduates to Study Lip Reading for Teaching.

Scholarships have been awarded by the Central Institute for the Deaf to Miss Ruth Jeffrey, 3685 Lytle Road, Shaker Heights, and Miss Ruth Steinfeld, 22810 Detroit Road, Rocky River, it was announced today.

The young women were graduated from Mather College, Western Reserve University last June. Their first task will be to learn to read lips as they make over their duties of training children.

The institute is affiliated with Washington University, St. Louis.

K. of C. Begin 30th Retreat Sunday  
For the 30th consecutive year Knights of Columbus in the Cleveland district are to hold their annual retreat for men in St. John's Catholic Cathedral.

The retreat opens at 7:30 p. m. Sunday and closes a week later with mass and communion, and probably a communion breakfast. Most of the 3,000 members are expected to attend.

Rev. Joseph A. McMahon and Rev. Edward J. Mully of Chicago, members of the faculty at the retreat, will conduct the services nightly. Masses every morning are to be celebrated by the two retreat masters and priests of the cathedral parish under Msgr. Joseph P. Smith, pastor and state K. of C. chaplain.

Bishop Joseph Schrems and Auxiliary Bishop James A. McFadden will make brief talks at the closing service.

Women's Bureau Told to Vacate  
(Continued From First Page)

the women's institutions operated by the city, said the clubs were most opposed to the housing of destitute, homeless women in Central Station, where they would come in contact with women who had been arrested.

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# HAS CHALLENGE TO DUEL WITH AXES

## Reporter and Geauga Prosecutor Meet on April Fools' Day.

(Continued From First Page)

BY JOHN A. CRAWFORD.  
Glittering with gold seals and red wax, a challenge arrived last night from Chardon, signed by Geauga County's prosecuting attorney, S. L. Cheney, and addressed to me. It read:

Mr. John A. Crawford, S. R., Cleveland Plain Dealer:  
You are hereby formally challenged by the undersigned, this first day of spring, to a contest to test the skill of the contestants as wielders of the mighty axes.

To test said skill (in absence thereof) I challenge you to a chopping contest on April Fools' Day at the eighth annual Geauga Maple Festival in Chardon, O., the winner to be treated by the loser to wood-chopper's chop dinner.

Signed: S. L. Cheney (seal). (Witnessed: Elizabeth Hall, C. M. Hall, notary (seal). (Witnessed: Elizabeth Hall, C. M. Hall, Arthur D. Ryder.

"S. R. means Scotch reporter. P. S.—Conditions are left to my opponent if he needs any.—S. L. C. R. S. V."

A Skilled Chopper.  
A pretty formidable document from the red-headed prosecutor. The last legal document I received was a subpoena in a \$1,000 suit over a dog bite and eventually it cost me \$125. I have a lot of documents. Furthermore, Cheney is a wood-chopper of great skill, according to my Geauga operatives. And he has a woodchopper's appetite.

I haven't chopped more than one log in five years. But my advisers said the challenge should be accepted.

So I hereby accept, and the conditions of the contest are: 1—Each contestant shall chop through one log and in case of a split, the log shall be a second. 2—The Maple Festival committee shall have entire charge of the contest, and will (a) select and supply the wood and stumps to be chopped; (b) locate the contest arena, fit it, and rope it off wide (c) arrange for bookmakers and ambulance (one).

Joseph C. Hostetter, counsel for the company, said he knew of no action having been taken toward obtaining a license to sell beer at the games.

Will Harridge, president of the American League, was asked if there was any rule against selling beer in the ball parks of his circuit.

The sale of legalized beer in ball parks, he said, had been discussed from Chicago, "has never been discussed, this is a matter for the league to consider and decide on action to be taken."

Alfred Clum, first assistant director, quoted from the Indiana lease with the city, which specifies that no liquors can be sold in the stadium "contrary to law." He agreed that if the Legislature legalized beer the lease would not prevent its being sold.

Clum, however, cited an old ordinance which prohibits carrying intoxicating liquors into city parks to sell, drink, give away or otherwise dispose of. He said the question arose whether the Legislature interpretation of "intoxicating" carried such a meaning.

He was not prepared to give an opinion as to whether the stadium was park, but he added that it is surrounded by land that was appropriated for park purposes and that a structure was erected on such land.

However, the ordinance could be amended or repealed by City Council. On the other hand, the Ackerman bill, from which the stadium can be served and consumed only tables. That obviously would prohibit sale of beer to fans in the stadium.

He said he was setting tables under stands, but no one could be four yesterday who would say what is to be done—if anything.

It was not clear what the present attitude of the city administration is not to permit the sale of beer in the parks. It is understood that whether the stadium will change after beer is legalized depends on public acceptance of the new law and state regulations.

F. A. Deahl, Expert on Industries, Dies  
Floyd A. Deahl, 49, of the firm of Deahl & Sommers, industrial consultants, died of a heart attack yesterday at his home, 3323 Aberdeen Road, Shaker Heights.

Mr. Deahl was a consultant and director of industrial mergers. He directed and aided transactions that resulted in the formation of the Empire Steel Co., Mid-States Steel & Wire Co. and Continental Steel Co.

He is survived by his wife, Mrs. Talitha Deahl; two daughters, Eleanor and Elaine; and a son, Warren A. The body will be sent to Goan, Ind., this evening for burial.

'99 to 1 Roberts Has It!  
MAIN 1910—that's the number that ROBERTS' customers have been using for more than a score of years. It means Service—Quick Action for '99 to 1 Roberts Has It.' Make a note of it—MAIN 1910.

LOS ANGELES, March 23 (AP)—A large part of the estate was an inheritance from a wealthy aunt who died in Scotland about four months ago.

MILWAUKEE, March 23 (AP)—The Milwaukee City Council today passed a resolution for the sale of the newly legalized brew become more clearly defined.

BALTIMORE, March 23 (AP)—Dr. Stanley Jones, world famous missionary and author, returned from the Orient today convinced that a long series of hitler wars for the possession of Manchuria is in store for China and Japan, with China the ultimate victor.

COAL HOUSEHOLD LUMP \$4.50  
IDEAL FOR STOVE OR FURNACE  
Boulevard 1813—CLIFTON COAL CO.—Cherry 7733

Fenway Hall Hotel  
John Hirsch, Manager  
Euclid Avenue at E. 107th St.

MODEL BEER BILL PASSED BY HOUSE  
(Continued From First Page)

FIGHT TORPEDO BATTLE  
More Than 100 U. S. Ships Engaged in Simulated Warfare.

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