

# PLANS TO ADHERE TO CONSTITUTION, DECLARES JONES

## Governor's Stand Voiced on Pending Bill to Tax Pin Ball Machines

By George Vandervoort  
(The Times-Picayune Staff Correspondent)  
Baton Rouge, La., June 11.—Governor Sam Jones went directly on record this afternoon to the effect that he will not sign any bill that violates the terms of the state's constitution.

The governor's declaration was in connection with bills pending before Louisiana's Legislature to tax pinball machines.

It was pointed out to Governor Jones that a supreme court decision and the formal opinions of two attorneys-general had decreed that pinball machines are illegal.

"Will you sign a bill that taxes pinball machines, thereby recognizing their legality?" Governor Jones was asked.

"I will not violate the provisions of our constitution," Governor Jones replied. "Louisiana's constitution denounces gambling. The Legislature shall enact laws to prohibit it. If pinball machines are gambling devices, I will not sign any legislative act to legalize or tax them."

### Will Seek Opinion

"I will request Attorney-General Eugene Stanley for an opinion on the legality of pinball machines. If pinball machines are gambling devices, and any legislative act attempts to legalize them in violation of the article of the constitution which denounces gambling, the legislative bureau of the Legislature should so report to the Legislature."

When the then Attorney-General David M. Ellison rendered an opinion shortly before he vacated that office last year that pinball machines are illegal, as they are not games of skill, the opinion was observed in practically every city in the state, except New Orleans.

Police Superintendent George Reyer declared that he would not follow the opinion of the attorney-general because pinball operators contributed, through permits, to the charity fund of the city government of New Orleans.

There are no pinball machines in Baton Rouge, and this fact, it is maintained here, presupposes their illegality, for it is pointed out, if their operation were legal, they would be operated in Baton Rouge and all other cities of the state without fear of police interference.

### Wogan May Be Registrar

The appointment of Victor Wogan of the 12th Ward of New Orleans as the registrar of voters of Orleans parish to succeed R. J. "Buddy" Gregory, Wednesday was indicated by Governor Jones this afternoon.

"I will appoint a registrar of voters of Orleans parish Wednesday," Governor Jones said.

There were two contestants for this position—Mr. Wogan and Walter Duffoure of the Ninth Ward. Official announcement was made two days ago that Mr. Duffoure will be appointed secretary of the Louisiana securities commission, which left the field for registrar open to Mr. Wogan.

Governor Jones returned to Baton Rouge today from Atlanta where he attended the Southeastern conference of governors.

### Defense Appointments

"I have not yet decided," Governor Jones said, "on the men I will appoint to the Louisiana national defense committee, but I will shortly."

The governor explained that each governor will name a state defense committee, and that the chairman of each defense committee will become a member of the national defense committee.

"The governors, at the conference at Atlanta," Governor Jones said, "agreed to assist the federal government in every way possible. We realize that national defense is a national problem. The various state governments will submit to the national government all data on their different advantages, such as training areas and locations for war industries, and let the federal government make the decisions."

## Italian Workers in Mexico Confer With Nazi Agents

(The Associated Press)  
Mexico City, June 11.—A foreign intelligence officer reported that Italian agents in Mexico, acting simultaneously with Italy's entrance into the war, conferred with several leaders of German "fifth-column" activity here.

Five Fascist secret agents reportedly arrived from Torreón, Monterrey, Guadalajara, Durango and Puebla for an extended conference with Nazi propaganda representatives.

### GREEK CRAFT TAKEN INTO SICILIAN PORT

(The Associated Press)  
Athens, June 11.—The first Greek ships were reported today to have been stopped by Italian authorities for contraband-control examination. The Toyas Shipping Company in Athens said it was advised its ships Sofia and Attici, bound for Alexandria and Marseille, were escorted into port at Sicily.

### JAPS WANT CONFLICT KEPT OUT OF EAST

(The Associated Press)  
Tokyo, June 11.—Vice-Foreign Minister Masayuki Tani today advised the diplomatic representatives of Italy, Germany, France, England and the United States that Japan is anxious to eliminate any incidents between belligerents which might extend the European war to the Far East.

## Ten Years



RICHARD W. LECHE

## LECHE

Continued from Page 1

Leche held similar authority over the highway commission.

Attorney Speaks  
John R. Hunier, attorney for Younger and Abernathy, spoke briefly before sentence was passed on his clients.

"As attorney for Younger and Abernathy, I had two courses to take, either to fight the government or to co-operate with the government. We decided to co-operate," Hunter said.

"According to the evidence in this case, it was brought out that Leche and Younger had not met prior to this trial. The scheme was fully devised and the prices to be paid for the trucks were set before Younger was approached."

Malcolm Lafargue, representing the government, told the judge that Younger and Abernathy had given the government full co-operation and had furnished all the information they had asked for.

Attorney Hunter added that "Abernathy's part in this scheme was 'the sin of omission' in allowing this defrauding to take place in his department. In no part of the evidence was it ever brought out that Abernathy received a dollar from this or any other schemes."

### Abernathy, Younger Sentenced

In pronouncing sentence on Younger and Abernathy, Judge Dawkins said: "It is clear that this scheme to defraud was drafted before it was presented to Younger and his desire to get the business got the best of him. He was induced into the crime by another."

"In the case of Abernathy, he had only two choices. He could give up his place as chairman of the highway commission under Leche or obey the will of his superior. He declined to give up his job and became a figurehead and allowed this scheme to mature."

"Since I understand that Abernathy is totally without funds and will have to borrow money to pay his fine, I will sentence him to \$1000 on the first count and suspend fines of \$1000 on two others."

Leche became the 15th important former state politician or figure to be sentenced or fined in federal courts since the justice department moved in here last July following the sensational flight and capture of Dr. James Monroe Smith, former president of Louisiana State university, and Leche's subsequent resignation.

### Sentence Longest So Far by U. S.

(The Associated Press)  
The sentence of 10 years imposed upon former Governor

## BRAZIL NEUTRAL, ASSERTS VARGAS, CITING 'NEW ERA'

### Vigorous Talk of Dictator Interpreted as Defense of Totalitarianism

(The Associated Press)  
Rio de Janeiro, June 11.—President Getulio Vargas, Brazil's dictatorial ruler, proclaimed his country's neutrality in the Allied-Italian war today in a decree preceded by a vigorous speech interpreted as a defense of totalitarian ways.

"We are marching toward a future different from all we know in economic, political and social organization and we feel that old systems and antiquated formulas have entered a decline," he said.

"It is not, however, as pessimists and stubborn conservatives pretend, the end of civilization, but the beginning—tumultuous and fecund—of a new era."

Vargas spoke beneath the guns of the battleship Minagerase in an address highlighting the 75th anniversary of Brazil's naval victory over neighboring Paraguay in the Battle of Riachuelo. It was the first declaration by a South American president on latest European events.

(Usually reliable sources in Buenos Aires said today that both Paraguay and Argentina had strengthened their frontier garrisons in recent days and the Argentine interior ministry confirmed that "precautions" had been taken. Unofficial Buenos Aires sources said the borders with Brazil were under an especially close watch.)

"Vigorous peoples fit for life must follow the route of their arrivals in order of contemplating that which crumbles and falls in ruins," the president asserted. "It

is necessary consequently to understand the new epoch and remove the rubbish of dead ideas and sterile ideas.

"We are crossing, and all humanity is passing, an historical moment of grave repercussions resulting from rapid changes in values."

Vargas prefaced these remarks, however, with a declaration that "we are united by ties of strict solidarity with all American countries around the ideas, aspirations and common interest in our defense."

Brazil, South America's largest country, its southern provinces filled with Germans and Italians, is regarded by most observers as the most vulnerable country in this hemisphere.

Speech for Home  
Consumption, Belief  
(The Associated Press)  
Buenos Aires, June 11.—Official sources withheld comment tonight on the speech of Brazil's president, Getulio Vargas, but some persons close to the Argentine government expressed the opinion that the speech was "for internal consumption."

Afternoon newspapers received news of the speech too late for editorial comment, but Critica headlined: "In Fascist language Vargas justifies barbarian aggression."

Noticias Graficas said, "Vargas made a speech with Fascist leanings."

### TWO ITALIAN VESSELS PUT INTO U. S. HAVEN

(The Associated Press)  
Norfolk, Va., June 11.—Two more Italian vessels came scurrying through the Virginia capes today to seek a haven of safety in Hampton Roads from British warships waiting to capture them on the high seas. They were the Antonietta and Bitorn.

These arrivals bring to eight the number of Italian vessels which probably will remain indefinitely in Hampton Roads.

Of the group thus far sentenced to federal prison, only two actually are serving time, others having appealed.

Those now at Atlanta are George Caldwell, former construction superintendent at L. S. U., who is serving a four-year sentence on pleas of guilty in mail fraud cases here and at Monroe and William G. Rankin, former conservation commissioner, serving a sentence of a year and a day on a plea in the mail fraud case growing out of the Leche "gilt boat."

Seymour Weiss and Abraham L. Shushan, both former pillars in the old Long administration machine, both face sentences of 30 months in federal prison in separate cases. Both have appealed, but Weiss' appeal has been refused in the appellate court.

Dr. James Monroe Smith and Monte E. Hart likewise face 30 months' federal sentences in the Bienville "double dip" case with Weiss, while Louis LeSage and J. Emery Adams received sentences of a year and a day in the same case. All have appealed.

Herbert W. Waguespack, Robert J. Newman, Norman T. Harris, Jr. and Henry J. Miller all were sentenced to 30 months each in federal prison with Shushan on January 2 following conviction in the New Orleans levee board tax refunding deal involving \$496,000. All have appealed.

Scores of indictments and forthcoming trials are pending against most of those already convicted and others in the charges brought by the federal government.

## DATA ON SCANDAL TO BE PRESENTED TO PARISH JURORS

### Cocke to Use Evidence Obtained from Federal Investigators

Evidence obtained last week by District Attorney J. Bernard Cocke from federal authorities in connection with Louisiana "public scandal" cases may be presented to the Orleans parish grand jury Friday when that body convenes to consider several recent homicide cases.

District Attorney Cocke said Tuesday afternoon that he was working on "certain evidence in connection with public scandal cases," which he hopes to submit to the grand jury. He said the grand jury will meet Friday morning to consider several murder cases and that after they had been disposed of he has "other matters" to present.

A call for the grand jury was issued by Judge Fred W. Oser of criminal district court following a conference between District Attorney Cocke and James H. Grottsch, foreman of the grand jury.

It will be the first meeting of the grand jury since the resignation of Niels F. Hertz as district attorney, and the appointment of Cocke by Governor Sam H. Jones as his successor.

Last week District Attorney Cocke discussed with United States District Attorney Rene A. Viosca "scandal" cases still pending in federal and state courts.

Upon leaving the federal building Cocke carried a bundle of papers and records.

A few weeks ago O. John Rogge, assistant United States attorney-general, said that in the

## Jobless and Ill, Orleanian Kills Self With Rifle

### Unemployed and in ill health, Thomas Madden, 31 years old, 1422 Camp street, is said by police to have ended his life Tuesday morning by shooting himself in the left chest with a .22-caliber rifle while in a bedroom at his home.

Madden was found lying on the floor of his bedroom shortly after 7 a. m. by his brother, James Madden, 26, who summoned the family physician. Madden was sent to Touro Infirmary, where he died at 8:30 a. m.

The body was taken to the city morgue. Following an investigation, Dr. Philip Montelepre, assistant coroner, declared the case a suicide. Dr. Montelepre said death resulted from hemorrhage and shock following a rifle wound of the left chest.

### BANDA HILL, OTHER OBJECTIVES BOMBED

(The Associated Press)  
Nairobi, Kenya, South Africa, June 11.—It was officially announced tonight that flight of South African air force heavy bombers visited Italian Moyale and successfully and heavily bombed Banda Hill and other military objectives. All aircraft returned safely.

Italian Moyale is on the border between the British colony of Kenya and Italian-occupied Ethiopia.

course of federal investigations here, where there is a case of state law violation and a questionable instruction of federal criminal laws, material on the case would be made available to state officials.

## SHORTS, PITH HELMETS ADOPTED BY C. M. T. C.

(The Associated Press)  
Baltimore, June 11.—Army officers disclosed at Third Corps Area headquarters today that shorts and pith helmets would be regulation equipment at Citizens' Military Training Camps this summer.

The helmets will replace campaign hats, and two pairs of shorts will be issued for recreation and athletic purposes. Standard uniforms will be used for regulation equipment at Citizens' drill.



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are fragile—easily twisted and destroyed. Any man—especially any Dad—who cannot drink wisely and moderately owes it to his family—his son—not to drink at all.

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