

Lack of Age May Bring Legal Case in Tennessee

By RUSS DALEY
United Press Correspondent
Memphis, Tenn.—(UP)—A potential legal case is shaping up here because Ed P. A. Smith isn't four months older.

Smith, an assistant county attorney general, was elected a state senator in the Nov. 2 balloting—but the state constitution says the office can be filled only by a person at least 30.

And Smith won't be 30 until May, 1955, about four months after the next session of the legislature convenes.

The facts about Smith's age came out before the Democratic primary last August, but the political organization which the late E. H. Crump headed made no move to replace Smith.

Smith declined to withdraw and won the nomination over Mrs. Maurine D. Hayslip, a school teacher who made Smith's age a big part of her campaign.

Crump Declined
Just before the general election, Smith again declined to withdraw and was elected over the Republican candidate, George C. Harrison.

Harrison and other Republicans may go to court in an effort to void Smith's election.

"I don't believe a candidate should ask the people of the country to support him, knowing he does not meet the qualifications of the constitution," Harrison said.

The Memphis Press-Scimitar, in an editorial before the election, urged Smith to withdraw.

"It is not right to ask the people to disrespect the constitution by voting for someone who obviously does not meet specific constitutional requirements for the office," the newspaper said.

Crump, before his death, declined to take any hand in the matter, and after the long-time political leader died there was no one who could give the word that would take Smith out of the race.

Smith Sticks
Atty. Gen. John Heiskell said the senate in the past had waived provisions of the constitution.

But Harrison contended the senate could rule only on the question of whether Smith is 30 and cannot legally rule on whether the requirements of the constitution should be followed.

Harrison said that should Smith be barred by the senate from taking his seat, then he is certain that he (Harrison) will be seated.

Democratic leaders took the attitude that it would be up to the senate to decide whether or not Smith should be seated.

Smith went along with that attitude and apparently decided to take his chances with the members of the senate.

The Press-Scimitar, in its editorial, said it would not be right, or legal, "for members of the senate to take their oaths of office, swearing to uphold the constitution, then start their work by breaking a specific constitutional provision."

Body of Confessed Slayer's Mother Studied for Poison

Lexington, N. C.—(UP)—The body of confessed murderer Nanie L. Doss' mother was examined today for possible traces of poison that killed four of Mrs. Doss' five husbands.

Duke University toxicologists examined the body of Mrs. Louise Holder Hazel, who died in Jan. 1953 after coming here from her home in Jacksonville, Ala., to visit her daughter.

Other Bodies Examined
A similar examination on the body of Mrs. Doss' third husband, who died in Feb. 1952, was completed here yesterday.

The toxicologists said the body of husband No. 3, Arlie J. Lanning of Lexington, contained "more than sufficient arsenic to cause death."

Mrs. Doss had confessed Sunday in Tulsa, Okla., where she is jailed, that she fatally poisoned Lanning and three of her other husbands. But she had refused to discuss the deaths of her mother, father, two sisters, two daughters and a step-grandson, all of whom died unexpectedly.

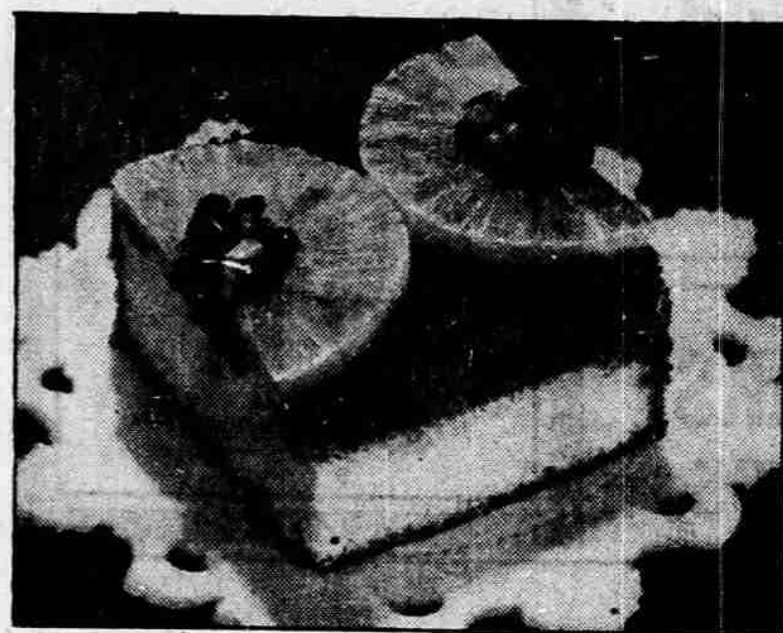
Charged With Murder
The pudgy widow already has been charged with murder at Tulsa in the death of husband No. 5, Doss. He died at Tulsa Oct. 6 of this year after what Mrs. Doss said was the second time she had given him doses of poison.

The body of husband No. 4, Richard L. Morton of Emporia, Kan., was exhumed and traces of arsenic were detected. He died in 1953.

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Democratic leaders took the

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