

## Ruling Takes Heat Off City Candidates

INDIANAPOLIS (UPI) — The Indiana Supreme Court ruling that the two per cent sales tax law is constitutional may take some of the heat off incumbent mayors of Hoosier cities who seek reelection in the municipal balloting Nov. 5.

Despite the fact the mayors and other city officials were caught up in a local property tax squeeze over which they had no control after Marion Circuit Judge John L. Niblack ruled the sales tax unconstitutional last June, political observers had figured the skyrocketing local tax rates proposed for 1964 because of loss of sales tax revenues would hurt the incumbent municipal officers.

Thus, with the likelihood of a sharp slash in the advertised rates for 1964 now that the sales tax issue has been resolved, the mayors are breathing sighs of relief as they enter the final campaign cycle with the election only a month away.

**Who Is To Blame?**  
But the high court's decision did little or nothing toward settling the average voter's question of which party it should blame for the legislative action that brought a new higher tax program on the already rounded shoulders of John Q. Public.

Lt. Gov. Richard O. Ristine, whose vote as presiding officer in the Senate broke a tie and enabled the tax package to become law, said frankly he didn't know what effect the ruling would have on his own political future, which includes Republican gubernatorial ambitions.

"But I feel all the litigation has made people understand the problems that were facing the legislature, the governor and me," Ristine said.

Governor Welsh reminded the electorate that although he defended the sales tax during the legal battle because it was "essential to protect our system of education," the tax was one "which I did not advocate and which was opposed by my party."

**Gurie Is Relieved**  
House Speaker Richard W. Guthrie, R-Indianapolis, said he was "greatly relieved" that the high court ruling cancelled the need for another special session of the legislature on taxes.

Public opinion against legislators ran high last spring when a 61-day biennial session of the General Assembly stretched into a 100-day marathon session as

Welsh called a special session that lasted 40 days because the tax and budget problem was not ironed out earlier.

Had the lawmakers been forced to return to work out another tax program, the session undoubtedly would have spotlighted them in an unfavorable light again with the 1964 legislative primary only a few months away.

## Rusk, Gromyko To Confer Again Today

WASHINGTON (UPI) — Secretary of State Dean Rusk took time out today from his cold war talks with Soviet Foreign Minister Andrei Gromyko to brief President Kennedy on how this latest round of East-West relations was going.

Rusk hopped a train from New York to Washington for a mid-morning session with the President just prior to Kennedy's departure for a trip to Arkansas. The secretary planned to return to New York for another session with Gromyko tonight.

U.S. officials said that in the course of the new talks with Gromyko, Rusk had found that the Soviets still are standing firm on their demand for eventual liquidation of the Allied position in Communist-encircled West Berlin and have not altered their position on other potentially explosive issues pertaining to Germany.

However, Gromyko was reported to be approaching these and other subjects in a relaxed manner with no indication the Kremlin plans within the foreseeable future to whip up another crisis such as those which in recent years have threatened to trigger nuclear war.

Rusk and Gromyko touched on the problems of Berlin and Germany in the course of a three-hour dinner conference Wednesday night at the East 87th Street headquarters of the Soviet delegation to the United Nations.

The meeting, which ranged across a number of critical East-West problems such as disarmament, was described by U.S. officials as "amiable." They said Gromyko has shown no indication in his current series of talks with Rusk to force a showdown on any of the more explosive problems dividing Moscow and the West.

## State Traffic Toll Increased To 958

By United Press International  
A car speeding with its lights off crashed into the rear of a big truck in Shoals late Wednesday night, killing the driver and increasing Indiana's 1963 traffic toll to at least 958 compared with 882 a year ago.

State police said Clyde Phipps, 25, Mitchell, died of head and internal injuries when his car smashed into the truck on U.S. 150. The truck driver was not hurt.

Two other deaths were reported Wednesday, a little girl chasing a dog and a teen-ager riding a motorcycle.

The deaths ended two days of fatality-free driving on Hoosier roads. Sherrie Bradburn, 7, Rockville, was killed Wednesday night when she chased her dog into the path of a car in front of her home. The driver, James Butcher, 54, also of Rockville, said he did not see the child in time to stop, police said.

## SALES TAX

(Continued from Page 1)

said the court's decision "has saved a substantial portion of the state's revenue."

Ristine, who cast the deciding vote on Senate passage of the tax, said the decision "vindicates the judgment" of the legislators who voted for it.

Atty. Gen. Edwin Steers, who defended the tax before Niblack and then withdrew as Welsh's attorney in the case and attacked the tax before the Supreme Court, said the high court "acted expeditiously and in a judicial manner."

The Supreme Court agreed with Niblack's contention that the State Department of Revenue has no authority to set tax collection brackets on purchases. The opinion said there would be no tax liability on sales of 25 cents or less.

But the court's ruling held that this would not affect constitutionality of the remainder of the law.

**Decision Unanimous**  
The decision was unanimous and involved all five of the justices, three of them Republicans and two Democrats. The court did not specify who wrote the opinion, which was listed as "per curiam"—by the whole court.

The Senate passed the bill by a 25-24 vote with Ristine staking his political future, including a possible Republican gubernatorial bid, on an "aye" vote which broke a party-lines tie.

Opponents of the sales tax argued a constitutional majority of 26 votes was needed for passage in the upper chamber.

The high court said if the action of the legislature in enacting the sales tax law were "unwise or imprudent, the remedy is at the polls on election day and not in the courts."

"The court can only determine whether it is constitutional or not," the ruling stated.

## Betting On Series Now At Even Money

NEW YORK (UPI) — The New York Yankees were favored at 7-5 to win today's second game of the World Series despite the Los Angeles Dodgers' surprise 5-2 victory in Wednesday's opening contest.

However, because of Wednesday's Yankee loss, betting on the outcome of the best-of-seven series, itself, was at "even money" today—man to man—with the professional range at "11-10 and pick 'em."

## 'Continued Fine' Is Weather Forecast

INDIANAPOLIS (UPI) — The Weather Bureau, which only occasionally editorializes by forecasting "pleasant" weather, used a new descriptive term today in an official prediction for Northern Indiana.

"Continued fine weather through Friday," the forecast said.

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## Ireland Calls For Nuclear Arms Halt

UNITED NATIONS, N.Y. (UPI)—Ireland called on the great powers today to follow up the Moscow test ban treaty with a new agreement to prevent the spread of nuclear weapons to countries not now possessing them.

Irish External Affairs Minister Frank Aiken, in a speech prepared for delivery to the General Assembly, declared:

"We must at our peril use all the influence and power at the disposal of the United Nations to close the door of the nuclear club now, no matter how insistently aspiring members may demand admission. If we can prevent it, there must be no fifth member."

Aiken, long a proponent of U.N. action to prevent the spread of nuclear weapons, directed his appeal specifically to the United States, Russia, Britain and France—the four nuclear powers—"to take immediate steps, inside and outside the Geneva conference, to promote the agreements required to restrict the spread of nuclear weapons."

Without specific mention of Communist China and predictions that it soon may have nuclear weapons, Aiken said:

"No apprehension that, in spite of our collective efforts, some other state may in future come

to possess nuclear arms should be allowed to stand in the way of the erection now . . . of the strongest possible moral and legal barriers to the production, possession or control of nuclear weapons by additional states."

Aiken was the opening speaker in today's assembly policy debate, which included representatives of Australia, Hungary, Turkey, Sudan, Nationalist China and Ecuador.

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## Lunch Pail, Sweater Stolen From Auto

Walter Mowery, 1334 Master Drive resident, filed a theft report with the city police early this morning, at 2:50 a. m.

Mowery reported that his automobile was parked in the 200 block of Madison St., a short time before and while parked there, a lunch pail and sweater were stolen from the auto. The police are investigating.

If you have something to sell or trade — use the Democrat Want ads — they get BIG results.

## McBride And Son To Erect New Building

McBride and Son Welding and Engineering, route 3, Decatur will be moving its operations into a new 40 by 50 foot concrete building this winter. The building is being constructed at the rear of the firm's present shop. It will be considerably larger than the present building.

## Revival Services At Wren Nazarene

Revival services will be held at the Wren, O. Church of the Nazarene, opening Friday and continuing through Oct. 13, with services each evening at 7:30.

The Rev. David Holstein, of Berne, will be the evangelist and he and his wife will have charge of the music. The public is invited to attend the services.

## CORRECTION

In Tuesday's Democrat it was stated that the county commissioners had decided to let the bids for the courthouse elevator Oct. 15. The elevator contract will be let Nov. 4. A contract for construction of a bridge over the John R. Barger ditch on county road nine, one mile south of Peterson in Kirkland township, will be let Oct. 15.

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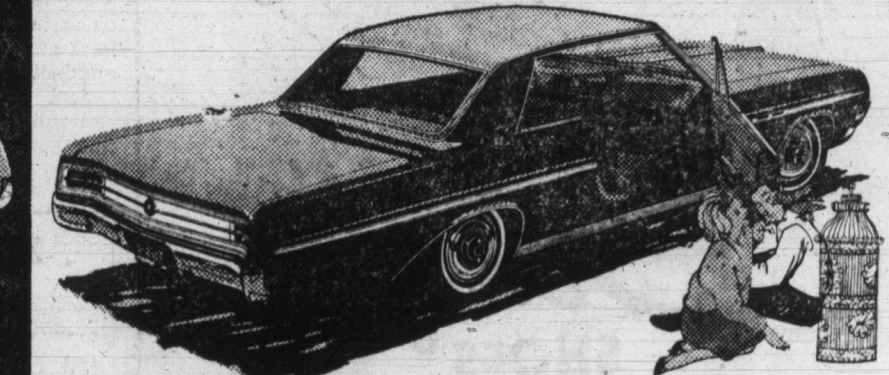
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