

# STATE TAX BOARD AUTOCRACY O. K'D BY THE HOUSE

(Continued From Page One.)

ties, in the state of Indiana, together with all exceptions contained in, or resulting from, any such equalization orders as made by said board of tax commissioners, be, and the same is hereby, legalized and validated."

The legalizing of the bill was the thing that the administration forces expected to put over, as it saves the face of the Goodrich administration and makes legal the very increases which the state supreme court declared void.

This makes all assessment orders of the state tax board stand as legal orders, and there will be no change in taxpayer's assessments on over-assessed property unless the taxpayers, within sixty days of the passage of this act, file with the ex-officio members of the county board of review in the counties where their property is located, petitions asking for relief from over-assessment.

The bill as passed and amended provides that the ex-officio members of the county board of review, who are the county auditor, treasurer and assessor, give the right to find on proper showing, that the property has been over-assessed.

"When that is done the ex-officio members of the board of review shall then certify this finding and statement of the true cash value of the property to the state tax board for final examination."

**ENTER PROPERTY AT TRUE VALUE.**  
Then, following this examination by the state board, the property of the over-assessed petitioner shall be entered upon the tax duplicate at its true cash value as fixed by the ex-officio members of the county board of review.

The county auditor is then directed to issue a warrant upon the proper taxpayer for the repayment to any such taxpayer, whose assessment shall be so reduced under the provisions of the act, of any such excess taxes such taxpayer may have paid prior to such correction, whether such excess was paid under protest or not.

The bill as passed by the house gives the taxing unit the right to make a temporary loan, to extend not more than one year, for the purpose of meeting any deficit caused by the treasurer's refunding excess taxes.

The proper taxing officials also have the power after the assessed valuation of a taxing unit has been decreased by either court order or otherwise, to increase all levies for the year 1919 other than state levies, in such percentage as will produce, as nearly as possible, the same amount of revenue for all purposes as would have been produced by the original local levies.

The bill, as passed by the house, carries the power in the board's discretion to increase at any time, within sixty days after the taking effect of the act, any or all state levies heretofore fixed by the state board of tax commissioners throughout the state for the year 1919.

By the means of the state may require, but no levy for any state or local purpose shall exceed the statutory limit now provided by law for such levies.

The act also makes it the duty of all taxing officials within the state to comply with this law.

**ACCUSED OF DODGING  
BILL'S REAL PURPOSE.**

After a sharp fight, which arose over the amendment of Section 1 of the bill, introduced by Representative William S. McMaster of Marion county, representatives of Marion county were accused of trying to submit the amendment in order that the city of Indianapolis could dodge the real purpose of the bill.

The amendment proposed by Representative McMaster, added to Section 1, the provision that "the provisions of this section shall not be construed to legalize or validate that part of any horizontal increase in assessment which may be in excess of the true cash value of the property assessed, or to legalize or validate any assessment of horizontal increase which has been adjudged or decreed by any court invalid."

This amendment was overwhelmingly lost.

**BILL AIMS BLOW  
AT COAL SITUATION**

Branding the present coal situation in Indiana as "intolerable," Representative John M. Bonham, Hartford City, has prepared a bill which he will introduce in the house today, providing that the department of supervision of public offices shall have the power to take necessary steps to obtain relief for the people of the state from the intolerable coal situation.

The proposed bill of Representative Bonham gives the department of inspection the power to obtain information to determine if a conspiracy or collusion exists between any parties to keep down production so as to increase the price of coal.

In the prosecution of its work, the department of inspection and supervision of public offices shall have authority to investigate the cost of producing coal, the cost of transportation to the several distributing points in the state, and the prices paid by wholesalers, jobbers and retailers; and to collect any other information which in its judgment may seem to be necessary or pertinent; to subpoena witnesses, administrators and compel the production of books, papers and records.

**AUTHORITY TO  
FIX PRICES.**

On the basis of the information thus obtained, the department of inspection and supervision of public offices shall have authority to determine and fix fair and reasonable prices of coal at the mines and as charged to the consumer.

The department of inspection and supervision of public offices may in its discretion provide for the publication of such facts and data relative to the cost of production of coal as may seem desirable to promote the public welfare.

The department of inspection and supervision of public offices shall have authority to employ such assistants, investigators or counsel as may be necessary to obtain the information herein contemplated and to fix their compensation.

If the information shall disclose the existence of collusion, descend and calculated to restrict the output or to retard the distribution or to enhance the price of coal, such evidence shall be used at the disposal of the attorney general who shall proceed to institute legal action against such offender or offenders for the proper laws of this state.

The department of inspection and supervision of public offices shall have authority to co-operate in any way with federal authorities in accomplishing results contemplated in this act.

**QUALITY ATTACHED  
TO MEASURE.**

Any person, firm or corporation who shall fail or refuse to comply with any provision of this act shall be deemed to be in violation thereof and upon conviction shall be fined not more than \$1,000.

Representative Bonham said he has talked over his bill with Gov. Goodrich and that his bill is different from the administration bill.

The proposed administration bill to be introduced calls for the appointment of a commission to investigate coal prices, conditions and the like.

That commission would be appointed by the governor.

The Goodrich administration relies on Attorney General Elie Stansbury to establish successfully the validity of the Goodrich administration plan, calling for the purchase of a coal mine as well as a commission plan to regulate the price and distribution of all coal in the state, either for domestic, commercial or state use.

That the administration forces are desperate and totally unorganized to combat the apparently organized opposition of a majority of the legislature to state-owned coal mine is obvious because of a resolution introduced by Representative John W. Winesburg of Wabash county, calling for the appearance of the attorney general before the house to explain the administration plan.

The Winesburg resolution reads as follows:

"I offer the following resolution and move its adoption:

"Be it resolved by the house of representatives, that the attorney general is requested to appear before this house, or any committee to be designated or appointed by the house, at such time and place as may be arranged by the speaker, to present such facts and information as may be necessary to enable the general assembly to determine intelligently what legislation is necessary to relieve the people of this state of the intolerable coal situation."

The motion was adopted.

Speaker Eschbach, following the adjournment of the house yesterday afternoon, said that he had not decided definitely as to the appointment of the committee or the time of the conference.

While Attorney General Stansbury did not make any statement as to the possible legislation which may follow, it is understood that he has been giving considerable thought to the subject since the convening of the special session.

He has been working, in connection with members of his staff, on several alternative measures which may be presented in case opposition to the bill for the state-owned mine prove too strong to permit its passage.

One scheme which may be pursued by the Goodrich administration in case the state ownership of mines project fails is the establishment of a commission to be operated much the same as the public service commission.

The duties of such a commission would be to fix the prices of coal and issue licenses and orders for its sale.

Efforts will be made to discover a precedent for such a movement.

Facing a coal situation which is more acute than ever before in the history of the state, such action would be justified, it was pointed out by Assistant Attorney General U. S. Lesh.

He said that he did not know what plans or recommendations the attorney general would make.

Sentiment in the lower house is strongly against the passage of a bill establishing a mine or mines owned and operated by the state, and other tactics probably will be employed to relieve the state institutions of the coal shortage.

One difficulty which probably will arise in the discussion of a commission to govern coal operations will be that such a commission would be practically parallel to the public service commission in its scope and power, and bills have been introduced in both the house and the senate for the abolishment of that commission.

If the legislature authorizes the abolishment of the public service commission a bill for the establishing of a similar body will likely meet as strong opposition as the state ownership plan.

Members of the house unanimously passed the bill authorizing the county unit road law, with the original amendments, immediately after the opening of the afternoon session at 2:25 o'clock yesterday.

Two amendments proposed after the second reading were thrown out.

On motion to suspend constitutional rules to pass the bill, Representative James A. Craig of Johnson county cast the only dissenting vote.

The vote on the passage of the bill stood 81 to 0.

In a sharp fight which preceded the passing of the bill, Representative Smith of Gibson county accused Representative Benz of Washington and Crawford counties of trying to defeat the bill by introducing amendments which would kill the entire program.

The bill as passed is practically identical with the amendments to the county unit road law which were lost in the enrolling room at the general session of the legislature.

**LAW PROVIDES  
FOR STREET WORK.**

The new law provides for the amendment of ten sections of an act approved March 13, 1919, which provides for the establishment of opening, widening, repair, construction and maintenance of highways, culverts and bridges throughout the county and upon county lines, and the location, manner of construction, supervision and control.

Provisions are also made in the bill for the issuance of county bonds for payment of all such improvements, and the taking over of township roads by the county.

Representative Noll of Marion county submitted an amendment that no bonds sold would be taxable.

Another amendment by Representative Benz of Washington and Crawford counties, provided that in addition to being non-taxable the bonds would bear 6 per cent interest.

Representative Smith declared that Representative Benz's amendment would defeat the bill entirely.

Representative Menhall of Hendricks county declared himself in favor of the county unit road law without amendments.

He argued that amendments would "muddle the bill."

**MOTION TO SUSPEND  
RULES DEFEATED.**

Motion to suspend constitutional rules were defeated in a discussion of the bill, following its reading when the measure was returned to the house with amendments by the committee on drainage and dikes.

cerning the temporary borrowing of funds from the special fund of the Indianapolis school corporation.

Bill No. 330, by Senator Masters, amending Indianapolis park department act to permit establishment of building fund and to control character of business or use of property near parks or parkways.

**BUDGET ALMOST AT  
TWO MILLION MARK**

An exhausted state treasury probably will result from the action of the senate and the house of representatives making gigantic inroads into the financial resources of the state.

The senate brought the total of the Goodrich institutional deficiency appropriations bill up to \$1,729,434.02, and the bill has gone to conference committees of both houses.

The senate, with a lavish hand and the clear combination of necessary appropriations with nonessential ones, increased the appropriations passed by the house by a total of \$839,470.10.

As the action of the senate was unanimous on the part of those present in making these wholesale additions, very little reduction is expected at the hands of the house, it is predicted.

By a vote of thirty-five ayes and no nays, the senate passed the administration's institutional deficiency bill, after making gigantic additions and amendments to the bill as passed by the house.

**ELSNER EXPLAINS  
HIS VOTE.**

Senator E. P. Elsnor of Seymour launched an attack against the Goodrich administration for being "the most expensive administration in the history of the state" when he took the floor of the senate to explain his vote in favor of the bill.

"We have appropriated close on to \$2,000,000, as I understand it, and I de-

sire to explain my vote at this time," stated Senator Elsnor.

Continuing, the senator said: "Some of these items for institutions housing the wards of the state are absolutely essential and should be passed, but mixed up with them are a number of items of which I do not approve but I do not want to stand in the way of the essential appropriations, such as those for benevolent institutions."

"At the last session I wanted to have these appropriations made large enough and if that had been done we would not have been called here in special session. This is the most expensive administration ever known in the history of the state and now we are called back to appropriate nearly two millions more."

"The governor (Goodrich) has made speeches over the state about the extravagance of the democratic administration," emphatically declared Elsnor.

**\$500,000 FOR  
HIGHWAY COMMISSION.**

Among the items added to the deficiency bill by the senate was an item of \$500,000 "re-appropriating" that amount for the use of the state highway commission in building roads.

In reality this \$500,000 item is not a re-appropriation, but has the same effect of a new appropriation as the original appropriation was never actually paid to the highway commission.

An appropriation of \$500,000 was made for the first highway commission, but was never paid out of the state treasury because the commission was abolished by the courts.

Then Senator E. P. Elsnor was passed for another highway commission which is still in existence, and which is supported by a special tax levy.

This senator explained why the present highway commission did not carry out its original plan to ask for a high tax levy.

Senator Alfred Hogston of Marion

stated that he was opposed to appropriating \$500,000 to the state highway commission, but stated that he favored the necessity of the passage of the institution and so was compelled to vote in favor of the bill as a whole.

Senator Oliver Kline of Huntington stated that he "would hang his head in shame if he belonged to a certain bunch who were favoring some things" and further stated that in an oratorical flourish that he "could go back to his constituents and say that he was against this extravagance," but he voted in favor of the passage of the bill just the same.

The administration interests were defended by Senator Oscar Ratts of Lawrence, who stated that he had been hearing a good deal of talk about the "incompetency" of the present legislature and claimed that no one could foresee this general condition which resulted in the necessity of the passage of the institutional deficiency bill.

At one time Senator Ratts referred to the senators who assumed the attitude of "I told you so," as "those guys" and this resulted in a remark from Lieut. Gov. Bush that such a reference to senators as "guys" was not altogether proper.

"Of course the word 'guys' only refers to one or two senators," remarked the presiding officer of the senate as the senators laughed at the joke.

Senator Ratts maintained that the problems faced in the institutional deficiency bill were the results of "after war conditions."

"The other senators present did not explain their vote, but voted as all those present did by voting in favor of the passage of the bill as amended."

The senate sat as a committee of the whole, with Senator H. E. Negley of Indianapolis presiding for half of the session, and then Senator Aaron Wolfson took the chair for the remainder of the consideration of the bill as a committee consideration.

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