

COURT DECIDES AGAINST TRUCK OWNERS OF CITY

283 Cases Involved Where Defendants Had No State License.

INTEREST, STATE-WIDE

Special Judge Frank A. Symmes in court today ruled in 283 cases that the defendants were charged with not having a state automobile truck license. The court held the law constitutional and stated that charges against drivers of the trucks would be continued indefinitely, but that the court would fine each of the truck owners who were defendants in the case. The fines will vary from \$5 and costs to \$25 and costs according to the number of trucks the defendant owns. This, Judge Symmes said, was done as the court did not believe that the man who owned a few trucks should be fined as heavily as the man who owned a large number.

Tuesday morning was set as the day when the court would mark officially the action in each case on the affidavits. The time being given to determine just which of the defendants are owners and which of the 283 are drivers employed by the truck owners. The appeal bond in each case was set at \$50, and the cases will be appealed to Criminal Court.

WHAT COURT RULING MEANS.

The ruling of the court means that fines will be assessed against about thirty of the 283 defendants, as only thirty are owners. These men are members of the Indiana Transfer and Warehouse Association which is affiliated with the national organization of Commercial Haulers. The council for the defendants was J. Fred Masters, and U. Z. Wiley.

The case has attracted wide attention because of the bitter fight made against the law by owners of automobile trucks, the large revenue that the State could receive if the law is held constitutional. The original law was passed in 1913, and in 1919 the schedule of fees was amended, and then the legal fight really started. These fees were from \$3.50 to \$75, according to the number of trucks owned, and the schedule of fees was again amended in 1921. Following that the police made the series of arrests which resulted in the large number of defendants being brought into city court on charges of failing to obtain a State truck license. The legal battle dragged over months and early in December the case was submitted to Special Judge Symmes on a "statement of facts," which briefly was an admission by all defendants that they did not have the State truck license but contended that the law was unconstitutional.

DEFENSE PLEAS OUTLINED.

The attorneys for the defense filed a brief in the case setting out several reasons why they contended the law was unconstitutional. These reasons briefly were: The title of the act provided for registration and licensing of chauffeurs and not licensing of automobiles. The attorneys claimed there was undue discrimination in favor of manufacturers and dealers as they could pay \$25 and obtain twenty-five license plates and had what they wanted too. The law they claimed exempted funeral cars which they contended were commercial vehicles. They further contended that the act of 1919 never was passed, the records showing the bill passed the House, was amended in the Senate but that the conference report was never adopted. They pointed out that there was no penalty provided, the penalty for section thirteen being provided by section six which created "fines for trailers." The defense further claimed that the other sections of the act were repealed by the amendment of 1921. The defense also claimed that it was "class legislation" as the theory of the act was that the law should apply to owners of automobiles.

Judge Symmes ruled against the defense in all but the section of the 1921 amendment which fixes penalties for "trailers," and he declared he believed that section was invalid, but held that this one section being invalid does not invalidate the other provisions. A bitter word battle was waged by the attorneys for the defense in contending that funeral cars were commercial cars and should not be exempted by the law. Mr. Masters stated the law lacked one vote of passing and that an undertaker refused to vote for it until after the funeral cars had been placed on the exempted list. Judge Symmes declared the Legislature had defined what an automobile truck really was and that it had the right to not include a funeral car in its definition of an automobile truck.

5 Ukrainian Girls on Picket Duty at Arms Conference

WASHINGTON, Jan. 12.—The arms conference was subjected to renewed picketing today, this time by Ukrainian women who carried banners protesting against "Polish tyranny and atrocities against their country."

The pickets were five young girls of Ukrainian extraction, well dressed and wearing heavy fur coats. They were on the picket line of the January day. Closely watched, but unmolested by the police, they inaugurated a steady march up and down in front of the Pan American building where the heads of delegations were discussing the new naval treaty.

Finds for Defendants in \$10,000 Damage Suit

A jury in the Marion County Circuit Court today returned a verdict in favor of William D. McCabe, William T. Gott, Judson Moschelle, Charles L. Fairchild and Nellie Fairchild, all of whom were defendants in a \$10,000 damage suit brought by Jewell Smith, who is interested in selling a mineral compound.

Mr. Smith claimed that the defendants caused him to be arrested on three affidavits in the city court on Dec. 25, 1914, on charges of practicing medicine without a license and by obtaining money under false pretenses and fraudulent advertising. He claimed the charges were later dismissed by the State. The jury found in favor of the defendants.

TWO BOYS MISSING.
The police today were asked to search for two missing boys. Mrs. Francis Schultz, 409 South Harris avenue, reported that her son, Omer, 13, and Bert Duncan, 15, 401 South Harris avenue, had been away from home for about twenty-four hours.

SENDS MAN TO JAIL FOR CONTEMPT.
John Sarmages today was ordered taken to jail by Judge Mahon T. Bash of the Probate Court until "further order of the court" because of contempt. The court found that Sarmages had failed to obey the order of the court in paying Charles Alcon, as receiver for the partnership of Pappas & Sarmages, the sum of \$41.19. Sarmages was turned over to the custody of Sheriff George Salder at noon.

WISH BACHELORS TO ADOPT BABIES

Near East Relief Workers Appeal to Unmarried Men.

A tiny, winsome child crying from hunger and cold wants a "daddy" and a bachelor is preferred. This particular little one with big soulful dark eyes and yearning smile promises to be of no trouble—it only wants a chance to live. In fact there are several thousands of these little folk, the sweetest little boys and girls imaginable, looking for "daddies" who will feed them and love them.

Every bachelor in Indianapolis with no particular responsibility is asked to lend ear to the following appeal: Near East Relief is boosting the Bachelor's Brigade for Orphan Relief, launched a few days ago by the Rev. C. H. Wilhelm, Christian pastor at Pontiac, Ill. The pastor, who is a bachelor himself, has "adopted" an American orphan making a pledge of \$50 a year to support the child, payable \$5 a month. Mr. Wilhelm declares that the thousands of bachelors throughout the United States should follow his example. By giving \$5 a month to Near East Relief an orphan can be supplied with a home, clothing and sufficient food to keep him healthy.

CONTRACT FOR FULL OUTPUT OF NORWAY PLANT

Two Institutions to Use Current Produced by Hydro Electric Company.

The public service commission today approved the petition of the Indiana Hydro Electric Company to sell all the electrical energy produced at their plant to be erected at Norway, Ind., to the Interstate Public Service Company and the Central Illinois Public Service Company. Construction of the first of the four plants to be built at the Tippecanoe River will be started as soon as the water wheel and the generator which were purchased by the company Jan. 1, are on the ground. Paul P. Haynes, attorney for the company, announced. The equipment thus far purchased has cost the company \$200,000, Mr. Haynes said.

The plant at Norway will be constructed at \$1,250,000, he said, and will be capable of turning out from 20,000,000 to 25,000,000 kilowatt hours a year. The Interstate company has agreed, according to the contracts approved by the commission, to take two-thirds of all the electrical energy produced at a cost of one and three-fourths cents for first line energy and three-fourths of a cent for second line energy. The Central Illinois company has agreed to take the other one-third of the energy at the same price as the Interstate company.

The first plant of the company will be in operation before Jan. 1, 1923, Mr. Haynes said. As soon as the first plant is in operation three other plants will be constructed at Oakdale, Tingo, and Springboro, in White County, he said. The commission also approved the company's petition for authority to reduce the amount of securities from \$1,500,000 to \$3,500,000 and the rate of interest from 7 1/2 per cent to 7 per cent.

ZITA GETS NEW BED.

PENICHA, Jan. 12.—A new bed and bedroom suite have arrived here for the use of ex-Queen Zita of Hungary in her suite at the Hotel New York, and was bought by loyal Hungarians.

CORNS

Lift Off with Fingers

Doesn't hurt a bit! Drop a little "Freezone" on an aching corn, instantly that corn stops hurting, then shortly you lift it right off with fingers. Truly! "Freezone" is a tiny bottle of "Freezone" for a few cents, sufficient to remove every hard corn, soft corn, or corn between the toes, and the calluses, without soreness or irritation. Advertisements.

RESINOL

Soothing and Healing Clears Away Blisters

DROPSY TREATED FREE

Dr. Franklin Miles, the Great Specialist, Sends a \$2.25 Special Treatment

At first no disease is apparently more harmless than dropsy; a little swelling of the eyelids, hands, feet, ankles or abdomen. Finally great shortness of breath, cough, fainting spells, sometimes nausea and vomiting, and a lingering, wretched death if the dropsy is not removed.

Dr. Miles has been known as a leading specialist in these diseases for 30 years. His liberal offer of a \$2.25 treatment free to all sufferers is certainly worthy of serious consideration. You may never have such an opportunity again.

The Grand Dropsy Treatment consists of four Dropsy Remedies in one, also Tonic Tablets and Pura-Lax for removing the water. This treatment is especially prescribed for each patient and is three times as successful as that of most physicians. It usually relieves the first day, and renders swelling in six days in most cases. Delay is dangerous.

Send for Many Remarkable Reports. All afflicted readers may now have a new Book, Examination Chart, Advice, and a Two-Point Special Personal Treatment free. Write at once. Describe your case. Address: Dr. Franklin Miles, Dept. D 164 to 164 Franklin St., Elkhart, Ind.—Advertisement.

2 CONVICTED ON TIGER CHARGES; 2 CASES PENDING

Rosen Given 30 Days Jail Sentence, but Family Saves Argo.

Two men were convicted in city court today of operating blind tigers, fines assessed in each case. One was given a jail sentence and one escaped such a sentence because of his six small children.

Harry Rosen, 115 South Capitol avenue, was fined \$20 and costs and sentenced to serve thirty days in the Marion County Jail on a "blind tiger" charge. Rosen was arrested on Jan. 4, after a raid on his home by the police had uncovered a ten-gallon still, worth \$60 a year to support the child, payable \$5 a month. Mr. Wilhelm declares that the thousands of bachelors throughout the United States should follow his example. By giving \$5 a month to Near East Relief an orphan can be supplied with a home, clothing and sufficient food to keep him healthy.

Because he had a wife and six small children to feed and a jail sentence would mean a hardship upon them, Val P. Pritchard, judge pro tem, omitted the ten days which he at first decided to give Charles Argo, 325 Warren avenue. On Jan. 5, police visited Argo's shoe shop at 1242 Oliver avenue. About the place were two and one-half gallons of "white mule" in a jug and five and one-half pints of the same liquor. He was fined \$200 and costs.

"Blind Tiger" Charges Against Hadley

Hadley was charged with operating a blind tiger.

Gas, Indigestion, Stomach Misery

"Diapepsin"

"Diapepsin" really does put bad stomachs in order—really does overcome indigestion, dyspepsia, gas, heartburn and sourness in five minutes—that's just what makes Diapepsin the largest selling stomach regulator in the world. If what you eat ferments into stubborn lumps, you help gas and create sour, undigested food and acid; head is dizzy and aches, remember the moment "Diapepsin" comes in contact with the stomach all such distress vanishes. It's truly astonishing—almost marvelous—and the joy is its harmlessness. A large sixty-cent case of Diapepsin is worth its weight in gold to men and women who can't get their stomachs regulated. It belongs in your home—should always be kept handy in case of a sick, sour, upset stomach during the day or at night. It's the most efficient antacid and stomach regulator in the world. Advertisement.

DEADLY MENACE OF NEGLECTED COLDS

They Lead to Pneumonia or Serious Throat Trouble

Doctors know that a great many serious throat troubles, bronchitis and fatal cases of pneumonia develop from neglected colds so common at this season. Treat your cold promptly with Father John's Medicine which gives new strength to ward off disease because it is pure and wholesome nourishment for those who are weakened and run down. Remember that Father John's Medicine is free from alcohol or dangerous drugs and therefore is a safe family medicine, fine for children as well as older people. Advertisement.

FLETCHER AMERICAN NATIONAL BANK

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A. Fite, 2037 Highland avenue, and Le Roy Jackson, 429 North Senate avenue, were continued until Jan. 19.

When police officers visited Fite's tailor shop in the Roosevelt Hotel, they saw the pockets of nearly all the garments to be "cleaned and pressed while you wait" sagging in a suspicious manner. When the officers investigated they found in every pocket a little bottle. About ten empty pint bottles were found in the garments. In the rear of the shop were five empty jugs. A small quantity of "mule" was found, Jackson was arrested last night and Fite was brought to police headquarters today.

HARDING CALLS GET RESPONSES

Indianapolis Man to Attend Agricultural Meet.

WASHINGTON, Jan. 12.—Bernard M. Baruch, New York financier; Samuel Gompers, head of the A. F. of L., and Edwin T. Meredith, Des Moines, Iowa, former Secretary of Agriculture, today accepted invitations to the agricultural conference, called for Jan. 23, by President Harding.

Others included in the supplemental list of acceptances announced by Secretary of Agriculture Wallcut were: Henry M. Dunlap, Savoy, Ill.; E. R. Todd, Moline, Ill.; L. H. Wright, Indianapolis, Ind.; and Carl Vrooman, Bloomington, Ill.

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