

## 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 282 cases that the defendants were wronged and not having State automobile truck license. The court held the law unconstitutional 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 cases. 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 does not believe that a man who owned a few trucks could be fined as heavy 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 282 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 OWNERS RULING MEANS.

The ruling of the court means that fines will be assessed against about thirty of the 282 defendants, as only thirty are owners. These men are members of the Indiana Transfer and Ware House Association, which is affiliated with the national organization of Commercial Haulers. The council for the defendants was J. Fred Masters, and U. C. Wilcox.

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 \$5.00 to \$15.00, according to the size of the truck, and the schedule of fees was again amended in 1921. Following that the law 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 the 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 for the court setting out some reasons why the contention the law was unconstitutional. These reasons briefly were: The title of the act provided for registration and regulation of automobiles and not licensing of automobiles. The attorneys claimed there was undue discrimination in favor of motor trucks and against them as they could pay \$25 and obtain twenty-five cents fines and haul 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 show, and the bill passed the House was amended in the state, but that the conference report was adopted. They pointed out that there was no penalty provided, the penalty for section thirteen being provided by section six which covered "fees for registration and license" and not "fees for registration and licensing." They also pointed out 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 decided 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. Manufacturers stated they had a majority of passing cars and an manufacturer refused to do 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.

The court further ruled that it was his opinion that the secretary of State was the proper official to determine the capacity of the automobile trucks and therefore the amount of the State license paid by each owner.

## 5 Ukrainian Girls on Picket Duty at Arms Conference

WASHINGTON, Jan. 12.—The armament 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, seven young girls of Ukrainian extraction, were dressed and wearing heavy furs to protect them from the bitter cold 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. McAlpin, William Gott, Judson Moschella, Charles L. Fairchild and Nelle Fairchild, all of whom were defendants to 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 by the court on Jan. 23, 1919, 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 Mr. Smith.

TWO BOYS MISSING.

The police today were unable 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.

SENS-MAN TO JAIL FOR CONTEMPT.

John Sarmages today was ordered taken to jail by Judge Mahlon T. Bush 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 Alcos, as receiver for the partnership of Papus & Sarmages, the sum of \$41.19. Sarmages was turned over to the custody of Sheriff George Snader at noon.

## WISH BACHELORS TO ADOPT BABIES

Near East Relief Workers Appeal to Unmarried Men.

## 2 CONVICTED ON TIGER CHARGES; 2 CASES PENDING

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

A tiny white child crying from hunger and cold wants a "daddy" and a bachelor is preferred.

This particular little one with big soft 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, brought into the world by the thousands of bachelors throughout the United States.

These babies are the result of an American orphan, making a pledge of \$60 a year to support the child, payable \$5 a month.

Mr. Wilhelm declares that the thousands of bachelors throughout the United States are giving \$5 a month to Near East Relief, an organization which can be supplied with a man, clothing and sufficient food to keep him healthy.

"We are asking no one to take one of these children into the home—it is only taking the little one into the heart," said the Near East Relief Appeal to the bachelors of Indiana. Any bachelor desiring further information about becoming a "daddy" to a baby of the Bibles should communicate with Near East Relief, 403 City Trust building.

"Blind tiger" charges against Hadley

## CONTRACT FOR FULL OUTPUT OF NORWAY PLANT

Two Institutions to Use Current Produced by Hydro Electric Company.

The public service commission today approved a contract of \$1,000,000 between the Hydro Electric Company to sell all the electrical energy produced at their plant to be erected by 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 on the Tippecanoe River will be started as soon as possible. The first plant will have a capacity of 10,000,000 watts. It will be the largest plant ever built in the world.

What you eat ferments into stubborn lumps, you belch gas and eructate sour, unctuous food and acid; head is dizzy and aches, remember the moment "Papa's Diapepsin" comes in contact with the stomach all such distress vanishes. It's truly astonishing—almost marvelous—and the joy is its disappearance. It is the only one of Papa's Diapepsin is worth its weight in gold to men and women who can't get their stomachs regulated. It belongs in case of a sick, sour, upset stomach during the day or at night. It's the most efficient aid and stomach regulator in the world.—Advertisement.

The first plant of the company will be in operation before Jan. 3, 1923. Mr. Haynes said. As soon as the first plant is completed, three more plants will be constructed at Oakdale, Tipton, and Springfield, 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 7½ per cent to 7 per cent.

ZITA GETS NEW BED.

INDIANAPOLIS, Jan. 12.—A new bed and bedroom suite have arrived here for the use of Queen Zita of Hungary in her exile. The furniture cost \$25,000 and was bought by royal Hungarians.

## CORNS

Lift Off with Fingers

Doctors know that a great many serious throat troubles, headaches and fatal cases of pneumonia develop from neglected colds so common at this season. Try our new and 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.

GET YOUR FREE \$1.00 PACKAGE OF GENUINE YEAST VITAMINE TABLETS TODAY as explained in Free Coupon below good for five days.

These are guaranteed to be THE GENUINE YEAST VITAMINE TABLETS prepared from the original formula of Dr. Catrin of the Faculty of Medicine of Paris.

THEY POSITIVELY CONTAIN NO DRUGS

We want to prove to you the difference between taking Yeast Vitamine Tablets mixed with drugs (in which the quantity of Vitamines is necessarily small) and Genuine Yeast Vitamine Tablets absolutely pure and unadulterated in which you naturally get a much larger quantity of Vitamines. For this purpose and also to prove to you the value of our Genuine Yeast Vitamine Tablets, arrangements have been made to give you a regular \$1.00 package absolutely free as explained herein. Before taking Yeast Vitamine Tablets we want you to weigh yourself, and note especially the thinness of your face, and the color of your complexion. Then measure around the chest and the waist. Then take one package of these tablets, following directions given below and watch the results.

Thin, weak, run-down folks who wish to put on GOOD FIRM FLESH, round-out face and figure, increase their strength and energy, should try this wonderful nutrition product. \$1.00 PACKAGE ABSOLUTELY FREE, as explained below to readers of this paper, for next five days to prove to you what they will do.

where Vitamines are necessary, organic iron is also necessary.

For centuries scientists tried in vain to produce organic iron. At last the problem was solved, so that you may now obtain pure organic iron from any

firm druggist under the name of

Nuxated Iron" which is ready for immediate absorption and assimilation by the blood the moment it enters the system.

If you merely wish to gain greater strength, energy, vigor and endurance take Nuxated Iron only. DO NOT TAKE VITAMINES UNLESS YOU WISH YOUR WEIGHT INCREASED up to what a person should normally weigh. We do not claim, however, that Vitamines will do much for everybody. People are naturally thin, and will probably remain so in spite of Vitamines and everything else.

These are the constant

principles of meat soups,

white bread, meat, porridge,

fish, potatoes, turnips, etc.

pies and cakes are likely to

suffer from under-nourishment and a weakened physical condition due to a deficiency of Vitamines and Organic Iron, no matter how much they eat, and in such cases both Vitamines and Nuxated Iron should be taken.

Arrangements have been made with the druggists in this city to give every reader of this paper a large \$1.00 package of Genuine Yeast Vitamine Tablets absolutely free with each \$1.00 package of Nuxated Iron that you purchase. Be sure to take only "Nuxated Brand" Yeast Vitamine Tablets, pure and unadulterated. Nuxated Iron" is ready to be used by imitations which often contain drugs.

Insist upon the Genuine Yeast Vitamine Tablets prepared from the original formula of Dr. Catrin of the Faculty of Medicine of Paris.

■ FREE \$1.00 COUPON ■

This coupon, if used within FIVE DAYS, entitles you to one regular \$1.00 package of Genuine Yeast Vitamine Tablets, absolutely free with each \$1.00 package of Nuxated Iron that you purchase.

If you do not have our Vitamine Tablets he can easily obtain them for you from any

drugstore.

Cut out this coupon and present it to your dealer today.

REINOL

Soothing and Healing Clears Away Blotches

DROPSY TREATED FREE

Dr. Franklin Miles, the Great Specialist, Sends a \$3.75 Special Treatment and New Book Free.

At first no disease is apparently more harmless than dropsy, a little swelling of the eyelids, feet and ankles, a common disease. Finally great shortness of breath, cough, fainting spells, sometimes nausea and vomiting, and a lingering, wasted 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 \$3.75 Treatment to all sufferers is certainly worthy of serious consideration.

The Grand Dropsy Treatment consists of four dropsy remedies in one also Tonic Tablets and Pure Laxa for removing the water. This treatment is absolutely free for all patients.

Most affidited readers may have new Book Examination Chart, Advice, and a Two-Pound Special Personal Treatment.

Address, Dr. Franklin Miles, Dept. D-14, 164 Franklin St., Elkhart, Ind.—Advertisement.

A. Fite, 2057 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 "water" was being 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.

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 being 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 \$50 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 a "tiger" in the city. He was given a jail sentence and fined \$50 a year to support the child, payable \$5 a month.

Others included in the supplemental list of acceptances announced by Secretary of Agriculture Wallace follow:

Henry M. Dunlap, Savoy, Ill.; E. R. Todd, Moline, Ill.; L. H. Wright, Indianapolis, Ind., and Carl Vrooman, Bloomington, Ill.

He declared the aim of the Russian rev-

olutionists is "to take the brains of its various branches of national activity and put them into the service of the government."

Robins drew intimate word pictures of the leaders of Russia, told and gave a careful analysis of Trotsky. He went into detail concerning the history of Lenin and Trotsky and told how they succeeded in gaining control of Russia.

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