

SUIT TO DECIDE WHOLE FUTURE OF UTILITIES

Railway Case Is of Vast Import; Hearing Opens Wednesday.

BY RUTH FINNEY
Times Staff Correspondent

WASHINGTON, Dec. 31.—The whole future of regulation of public utilities hangs in the balance in a case to be argued before the United States supreme court Wednesday.

It is the so-called O'Fallon case, involving the question on how the interstate commerce commission shall value the property of railroads in determining what rates shall be charged.

Some years ago the commission placed a valuation upon the St. Louis & O'Fallon Railway Company properties and determined that recent earnings had been in excess of 6 per cent upon this valuation, and therefore were subject to recapture.

The company took the case to the courts declaring the commission should have taken into account the cost of reproducing its properties at present prices in determining value. The court upheld the commission's decision, refusing to go into the question of how a valuation should be made.

This decision the railroad now is appealing to the supreme court, contending that the lower court should have exercised its judgment as to the true value of the property and that it should have arrived at this true value on the basis of production cost.

The case, in addition to being argued by yattorneys for the United States and the railroad will be argued by counsel for the National Conference on Valuation of American Railroads.

The question at issue, says this organization, in a brief filed with the court, is one of extraordinary public concern. Leaving out the question of whether production cost is the correct basis for valuation, it stresses the importance of the other two conflicting theories or regulations involved—whether valuation is a judicial function always to be determined ultimately by the courts, or whether it is a legislative function, with final decision in the I. C. C. as representative of the legislative branch of government.

PAY UP, POLICE TOLD

City Employees Declared to Be in Debt to Traugott Co.

Chester L. Zechiel, attorney, 707 Peoples Bank building, today asked the board of safety to order twelve policemen and firemen to pay bills due the Edward Traugott Company.

In a letter to the board, Zechiel stated that the city employees owed the Traugott receiver about \$600.

"We do not want to sue these city employees, but feel that you should ask them to pay at once," Zechiel said.

From 'Way Down at the South Pole'



These remarkable pictures show what life is like in the grim and icy Antarctic, where Commander Byrd and his men are waging their South Pole quest. (1) A closely of a penguin; these big, man-like walking birds inhabit the polar continent in flocks of thousands. (2) This remarkable photo, reproduced by courtesy of H. G. Ponting, is the only one ever taken exactly at the South Pole. It shows Capt. Robert F. (center, standing) and his four companions at the pole on Jan. 18, 1912, as they arrived to find that Captain Amundsen had beat them there by thirty-four days. (3 and 5) Glimpses of the Antarctic landscape, showing the difficulties that Commander Byrd will face if his plane is forced down. (4) A bull sea elephant, a huge animal found in the waters that form the outposts of the Antarctic.

LINDY TO DINE HERE

Credit Men Will Be Hosts to Fliers.

Indianapolis Association of Credit Men will entertain Colonel Charles A. Lindbergh and William P. McCracken Jr. at a dinner at the Columbia Club Jan. 24.

McCracken is first assistant in charge of aeronautics in the United States department of commerce.

City officials and others interested in the establishment of a municipal airport will be invited. Ulysses Grant, association president, will be toastmaster, and Louis Ludlow, congressman, will attend.

Lindbergh is chairman of the technical committee of Transcontinental Air Transport Company, Inc.

FIRE DISTURBS FUNERAL AND EXCITED BOY HURT

Only Curtains Burned at Home Near Toosin.

By Times Special

TOOSIN, Ind., Jan. 1.—Upsetting a kerosene lamp against curtains at the home of Mr. and Mrs. Emmanuel Miller near here started a fire which interrupted a double funeral and caused injury of a boy just recovering from a broken hip.

After a daughter of Mr. and Mrs. H. Sheaffer, former deputy prosecutor; Thomas C. Whalen, former city judge, who is a henchman of George V. Coffin, district Republican chairman, and H. B. Pike, former county pauper attorney.

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White received his first appointment as a municipal judge when the court was created in 1925. For more than two and a half years he served on the bench of the criminal municipal courts at police headquarters.

White is 46 years old and was born in Tipton county. During the war he organized employment offices in the state, working under the war department.

White is a member of the Scottish Rite, Irvington Masonic Lodge, Century Club, Loyal Order of Moose, and the Society of Indiana Pioneers.

WHITE AGAIN JUDGE

Reappointed by Jackson to Municipal Bench.

Dan V. White, 32 North Arling-ton avenue, today began his second four-year term as a municipal court judge after Governor Ed Jackson announced his reappointment Monday afternoon.

White won the place over William H. Sheaffer, former deputy prosecutor; Thomas C. Whalen, former city judge, who is a henchman of George V. Coffin, district Republican chairman, and H. B. Pike, former county pauper attorney.

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CONTROL OF MUSCLE SHOALS IS TALKED

Interest in Congress Wanes Despite Efforts of Company.

By Times Special

WASHINGTON, Jan. 1.—Although efforts are being made to stir up interest in Muscle Shoals legislation in this congress, little hope is seen for any action by Senator Norris and others advocating government operation of the property.

The activity is being fostered by officials of the American Cyanamid Company which seeks a fifty-year lease, but whose proposal has been defeated in congress.

Senator Norris says that Cyanamid offer is being kept alive because of President Coolidge's desire to turn the Shoals over to private interests.

WANTED BANDIT BRIDE

Anderson Wife Charges Husband Proposed Robbery on Wedding Day.

By Times Special

ANDERSON, Ind., Jan. 1.—Mrs. Irene Hundley charges in a divorce suit filed here against Harry Hundley that he proposed she aid him in a hold-up to obtain money so they could establish a home.

The wife says the bandit plan was broached by Hundley the day she became his bride, and that she immediately left him. She says before the marriage he represented himself to a man of means and able to provide a home for her and her two children by a prior marriage.

The law firm of Miller, Dailey and Thompson, noted for the past ten years as one of the leading legal combinations in the middle west, dissolved today officially.

Three new firms grew out of the old combination. Samuel D. Miller, his son, Sidney, and Lou Robertson formed one of the new firms. Dailey and O'Neal formed the second, and Will H. Thompson, Albert Rabb and Tom D. Stephenson, the third.

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