

## BILLIONS HANG IN BALANCE IN RAILWAY CASE

U. S. Economic Keystone Is Threatened by Suit in Supreme Court.

BY HERBERT LITTLE, United Press Staff Correspondent WASHINGTON, Jan. 2.—The government's new railroad regulation policy, keystone of the nation's economic structure, goes on trial here probably late today, when the United States supreme court hears arguments on the attempt of railroads to overturn the Interstate Commerce Commission's valuation system.

This billion-dollar valuation case, appealed by the little nine-mile St. Louis & O'Fallon road and the short Manufacturer's railway, both owned by the Adolphus Busch estate of St. Louis, was second on the court's call when it returned from the holiday vacation today.

The public, the railroads, the commission and the government, all interested and all represented by nationally known lawyers, make the legal battle a four-sided one. The one central question of predominant importance is:

Can the railroads in this case get the court to rule that valuations for rate-making and recapture purposes must be based on "present reproduction costs" instead of the commission's present method of "taking all factor," especially the 1914 reproduction cost, into consideration?

### Attack Valuation Validity

The commission's valuation of the O'Fallon road at approximately \$350,000 was used as the basis for an order to pay the commission \$225,000 of excess earnings under the provision of section 15-A of the 1920 transportation act.

The roads attacked validity of the valuation, claiming a value of at least \$1,350,000 in the period 1920-24 covered by the recapture order, and also challenged many technical phases of the recapture, in seeking an injunction overturning the order.

A three-judge federal court in St. Louis rejected all their pleas and refused to discuss the merits of the commission's valuation, ruling that the roads failed to show any proof of confiscation by the government.

Now the railroads face two difficult obstacles, to get the supreme court to take up the question of valuation and to get the commission's valuation held illegal. The court probably will give two days to arguments.

### Refuses to Consider Matter

The supreme court in the last three years has refused twice to go into the merits of valuation in railroad cases.

The commission uses the same valuations for recapture and rate-making calculations. Hence there is a possibility in this case of an acceptance of the railroads' proposals for "present reproduction value" which would, if made effective, increase the present aggregate valuations of the nation's railroads by ten to twenty billion dollars.

The present valuations in use by the commission aggregate around 23,000,000. The last increases for rates to provide a return of 6 per cent to the roads, so such an increase in valuation might raise railroad rates by a billion dollars a year.

### Gone, but Not Forgotten

Automobiles reported to the police as having been stolen:

Ford roadster, license 252-312 (1928), from Danville, Ind.

James R. Hymer, 5227 Guilford avenue, Buick touring, license 46-229 (1928), from Forty-second street and College avenue.

Henry Rodgers, 520 North Meridian street, apartment 20, Hup sedan license 37-873 (1928), from rear of 522 North Meridian street.

John Horbeck, 2434 Madison avenue, Ford coupe, from 600 North Alabama street.

George Hughes, 1202 North Capitol avenue, Ford roadster, from in front of 1202 North Capitol avenue.

### BACK HOME AGAIN

Stolen automobiles recovered by the police:

Thomas Cramer, 3131 Hovey street, Ford sedan, found at 400 East Louisiana street.

An elephant works from the age of 12 to the age of 80.

## PROTECT YOUR BABIES

**Flu Threatens**  
Flu's coughs and colds are serious. You can't afford to have serious colds. Even doctors and trained nurses distinguish the early stages of flu from a cold. At the first sign of a cold, start with Glesco. Don't wait an hour! Generations of mothers have put their trust in Glesco. It relieves the cough and breaks a fever. It is also a cross between a cold and a more serious trouble has a chance to start.

When you break a cold with Glesco you're one cold that won't develop into full-blown colds and most general stores have

DR. DRAKE'S

**LESSCO**

Cough and Croup Remedy

## Pays Off Her Rival



Mme. Irene Pavloska, prima donna of the Chicago Civic Opera company, has guaranteed \$45 a week alimony to be granted Mrs. Edna Mesirow, divorced wife of Dr. Maurice Mesirow, who is now Pavloska's husband. Pavloska and Mesirow were married just twenty-four hours after the doctor's divorce from Edna Mesirow became effective.

## Modern Farmers 'Count Chicks Before Hatched'

### NO 'LYNCHING' QUIZ

Death of Negro at Hands of Mob Not to Be Probed.

By Times Special

PHILADELPHIA, Jan. 2.—"Don't count your chickens before they are hatched," is about to pass into the limbo of forgotten axioms.

Hundreds of the poultry farmers who cater to the most populous area in the United States—from Philadelphia to New York—are not only counting their chickens before they are hatched, but they are rarely missing the count by even a fraction.

When they put a dozen eggs under a hen they can count on a dozen healthy chicks emerging—and no duds.

The explanation, made by D. C. Kennard, poultry expert of the Farm Journal, is that modern science is putting a kick into the embryo chick by the same measures it uses to increase the health of the modern child—sunlight baths and cod-liver oil. The difference is that the hen gets the sunlight and oil before she lays the eggs that produce the chicks.

They haven't gone so far as to coddle the hens under artificial sunlight lamps yet, but many of the poultry farms in this and other cold climate areas are assuring that the birds get as much sunlight as possible during the cold, dark months by installing the new and specially processed glass which permits the ultra-violet rays of the sun to enter the hen houses and hatcheries.

This measure, along with an addition of 1 per cent of cod-liver oil to the chicken feed, gives the hen the necessary vitamin "D" which is essential if she is to be a prolific and fertile layer, Kennard explains.

It also increases the vigor of the embryo chick and improves the texture of the egg shell, both of which factors increase greatly the proportion of eggs hatched.

Five persons lost their lives in Indiana in automobile accidents over the New Year's holiday period.

Fred Dugan, brakeman for the Chicago & Eastern Illinois railroad, was killed when he endeavored to warn the driver of an automobile of the approach of a freight train near Evansville. Dugan was crushed between the auto and the train. The motorist was not hurt.

George Brew, 54, Grand Rapids, Mich., was killed and six other persons injured near Ft. Wayne, when an automobile overturned.

Elmer F. Warner, Elkhart, died of injuries received when his automobile crashed into a street car.

Clarence Gubard, 45, was killed instantly when struck by an automobile driven by Elwood Pollom, 17, Manhattan.

Wayne H. Billman, 26, Sullivan, was killed instantly when his automobile crashed into another near Shelburn. Two other occupants of the machine were injured.

When Cartwright resigned to accept a position with the mine operators, his name was the only one on the ballots.

The executive board has not yet decided the constitutional question of whether the vice-president elected will automatically assume the office of president.

Ballots for use in the second election are now in the hands of the local secretaries. On these, James H. Terry, vice-president, is opposed for re-election by Michael Ferguson.

## INDIANA MINERS WILL NAME NEW OFFICERS

Members of District 11 Unions to Cast Ballots Tuesday.

By United Press

TERRE HAUTE, Ind., Jan. 2.—The second election of district No. 11 United Mine Workers of America, will be held here Tuesday with no candidates announced for the presidency, made vacant through resignation of Harvey T. Cartwright.

When Cartwright resigned to accept a position with the mine operators, his name was the only one on the ballots.

The executive board has not yet decided the constitutional question of whether the vice-president elected will automatically assume the office of president.

Ballots for use in the second election are now in the hands of the local secretaries. On these, James H. Terry, vice-president, is opposed for re-election by Michael Ferguson.

## FIGHT DEATH PENALTY

Anti-Capital Punishment Bill for State Prepared.

Abolishment of capital punishment in Indiana will be sought in a bill to be introduced in the coming legislature at the request of the Indiana branch of the League to Abolish Capital Punishment.

## REWARD

**\$1,000.00**

For information leading to the arrest and conviction of any person or persons who unlawfully and intentionally injure, or permit to be injured or destroyed, any High Tension Lines of this company.

SUCH ACTION IS A VIOLATION OF THE TERMS AND PROVISIONS OF SECTION 250 OF BURNET ANNOTATED STATUTES OF INDIANA, 1926, AND IS PUNISHABLE BY FINE AND IMPRISONMENT.

The Indianapolis and Southeastern R. R. and this company have been victimized four nights in the past few weeks with power shut-downs caused by malicious tampering with high voltage lines.

## THIS CRIMINAL PRACTICE MUST STOP

We appeal to You for Help.

Southeastern Indiana Power Company

A. M. Miller, V. Pres. & Gen. Mgr.  
Rushville, Indiana.

## ELEVEN HURT IN AUTO CRASHES

### Three in Hospitals After Traffic Accidents.

Eleven persons were injured in traffic accidents Tuesday, but only three were hurt seriously enough to remain in hospitals today.

Miss Frances Cameron, 16, of 1116 West Thirty-fourth street; Miss Margaret Miller, 16, of 3234 Ruckel street, and Eugene Bender, 22, of 2110 College avenue, remain at Methodist hospital suffering from injuries received at Northwestern avenue and Thirty-second street, when automobiles driven by Egbert Campbell, 615 East Twentieth street, and Edson Wood, 34 West Forty-third street, collided. Miss Miller and Bender received broken collar bones. Miss Aldine Meyers, 4009 Central avenue, also was injured. All the injured were riding in Campbell's car. He was arrested on charges of assault and battery and failure to stop at a preferential street.

After keeping quiet for a few days, they went out to see the town and got into a crap game. They lost about \$1,000 of their loot, and at the suggestion of a Monreal dealer they got into a draw poker game.

was injured at New York and East streets, when his machine was struck by one driven by Albert Shull, 21, of 1801 North Tibbs avenue. Shull was arrested on a charge of failing to stop at a preferential street.

Others injured: Charles C. Reed, 2203 Yandies street; Lawrence Brake, 2436 West Michigan street; Edward Compton, 746 North Sheffield avenue; Ralph Wisner, Pontiac, Mich.; Mrs. Anna Weghorst, 916 East Eleventh street.

In 1903 a fort was built at Point Comfort, at the entrance to the James river, Virginia, to provide ammunition for it, a payment in powder and ball was demanded from all ships that passed.

## Royal Flush Sends Youths Home to Loot Bank; Life Terms in Prison

CEDAR RAPIDS, Ia., Jan. 2.—How a royal flush beat a straight, queen up, and sent two Iowa bank bandits back home to rob another bank to rebuild their fortunes, was revealed here today.

Last summer Jerry Nepovin and Joe Hadrafa held up the State Savings bank at Palo and robbed it of about \$3,000. The youths bought an automobile and fled to Montreal.

After keeping quiet for a few days, they went out to see the town and got into a crap game. They lost about \$1,000 of their loot, and at the suggestion of a Monreal dealer they got into a draw poker game.

Both were captured and sentenced to state prison for life.

cousins involved may number less than 100, it was said.

OGDEN TAKES OFFICE; PLEDGES 'TO DO DUTY'

Stands for Law Enforcement, Says New Attorney General.

"The attorney general's office should stand squarely for the enforcement of law. It does so stand. We propose to do our duty and to lend out aid and assistance to the law enforcement officers throughout the state."

This was the pledge given by Attorney General James M. Ogden in his inaugural address at the statehouse, Tuesday. Ogden and two new judges of the appellate court were sworn into office by Chief Justice Clarence R. Martin of the supreme court.

The new judges are Elmer Q. Lockyear, Evansville, and Noel C. Neal, Noblesville.

The game continued until there was \$1,500 in the pot. According to the story, Nepovin had bet his last dollar and called the Canadian.

He threw down a royal flush.

"Beats me," said Nepovin as he tossed down a straight. The boys were broke and could not pay their \$50 hotel bill.

"You look honest," the hotel proprietor told them. "Send me the money when you get home."

They borrowed \$40 and returned here to recuperate their fortunes by holding up the State bank at Swisher.

Both were captured and sentenced to state prison for life.

One of the new judges are Elmer Q. Lockyear, Evansville, and Noel C. Neal, Noblesville.

No salts, no nausea nor the slightest interference with your eating, work or pleasure. Next morning your cold has vanished, your system is thoroughly purified and you are feeling fine with a hearty appetite for breakfast. Eat what you please—no danger.

Get a family package, containing full directions, only 35 cents. At any drug store.—Advertisement.

## How Doctors Treat Colds and the Flu

No salts, no nausea nor the slightest interference with your eating, work or pleasure. Next morning your cold has vanished, your system is thoroughly purified and you are feeling fine with a hearty appetite for breakfast. Eat what you please—no danger.

Get a family package, containing full directions, only 35 cents. At any drug store.—Advertisement.

## Downstairs at Ayres January Sales

January in the Downstairs Store offers remarkable opportunities to the thrifty housewife—opportunities to fill in her family's wardrobes, and to replenish her supply of household necessities. And here's the REASON why January means so much to YOU. Most manufacturers take drastic means to clear their shelves before the annual inventory which comes at the end of January. This enables us to offer

special purchases of seasonable, fine quality merchandise at definite savings. In addition, we make special price concessions on regular merchandise to clear before our OWN inventory. Watch the papers closely. Every department will present many worthwhile offerings from time to time throughout the month.

### Women's Serviceable

## Rayon Bloomers Specially Priced at

**79c**

Splendid quality, durable rayon, well tailored and reinforced; medium and large sizes.

Pink Peach Orchid Tan Navy

—Downstairs at Ayres.

## There Is Extra Value in These Women's New Slips of Lustrous Sports Satin

**1.49**

Rayon sports satin in pale, peach, pink, tan, navy or black; makes these slips; narrow hem. Sizes 36 to 44.

—Downstairs at Ayres.

## "Red Seal" Gingham

Offered at a Low Price

**22c Yard**

Checks and novelties in good colors. A fresh assortment of new goods for the January Sales.

—Downstairs at Ayres.

## Special Purchase of 800 Yards