

INFRINGEMENT IS DEFENSE OF CHAIN STORES

Three U. S. Judges Sit Here on Complaint to Enjoin State Taxation.

Testimony and arguments contend that chain stores are not monopolistic and that the state of Indiana, in attempting to enforce the 1929 chain store license, was infringing on the constitutional guarantees of personal liberty, were heard today by three federal judges.

The judges sitting in the suit of La Fayette Jackson, head of the Standard Grocery Company, to restrain the state tax board from enforcing the law are: Robert C. Baltzell of the Southern district of Indiana, Thomas W. Stick of the Northern district and Will Sparks of the circuit court of appeals.

Opening arguments for Jackson were made by W. H. Thompson, while Joseph W. Hutchinson spoke for the state.

Not Property Tax

Hutchinson declared it was within the province of the state to collect a tax on occupations and that the chain store tax was an occupational tax and not a property tax and is not discriminatory as long as it falls alike on all persons in the same class.

The legislature also has a police power and in taxing chain stores it is endeavoring to regulate their growth, he argued. He said that it was within the province of the legislature to favor one class of merchandising over another if it deems it wise to build up a class of merchants rather than a class of clerks in a community.

Has Civic Relation

The chain store problems bears a definite relation to the civic and social welfare of the small communities, he said.

Robert W. Lyons, executive secretary of the National Association of Chain Stores, testified there are 1,500,000 retail unit stores in the country, while there are but 150,000 stores operated by chains. Half of the chains are food store operators, he said.

Part of the revenue from the chain store tax will be used to defray school-aid expenditures, the law provides.

Hearings will continue Friday, it was indicated.

SPANISH KING APPROVES PROPOSAL OF PREMIER

Dictator to Abandon Post After Forming New Government.

MADRID, Jan. 2.—Premier Primo de Rivera announced today that the king had approved his plan for abandonment of the dictatorship and establishment of a so-called semi-normal government in Spain.

The premier made his announcement after being received by the king at the palace.

As a result of the king's decision it was understood Primo de Rivera would remain in office indefinitely and that his plan for establishment of a one-chamber cortes would be carried out.

The modified form of constitutional government which the premier proposed necessitates arbitrary alteration of the 1876 constitution which has been opposed by strong political factions.

Y. M. C. A. ENTERTAINS

Open House Wednesday Attended by 17,000; Movies Shown.

The annual new year's day open house at the Central Y. M. C. A. attracted approximately 17,000 persons, officials of the organization said.

The program included motion pictures, concerts, chess, swimming and gymnasium tours.

Milton Munger played twenty-four games of checkers simultaneously against twenty-four opponents, losing but two. Daniel B. Lutzen engaged in twenty-two games of chess, and lost but one.

Convict Buried at Muncie

MUNCIE, Ind., Jan. 2.—The body of Lawrence Thompson, 29, who died of tuberculosis in the state prison while serving a life term for robbery and murder, was returned here for funeral services and burial. Thompson, with two companions, held up a meat market at Ft. Wayne, killing Clem Foley when he resisted them.

BANK CHARTER GRANTED

State Commission Reports In Favor of Citizens' Institution at Ridgeville.

Luther F. Symons, state banking commissioner, stated today that his department had granted a charter to the Citizens State bank, Ridgeville. Merger of the Ridgeville State and First National banks formed the new bank, in line with the department's policy of consolidating small city banks.

Don't neglect a COLD

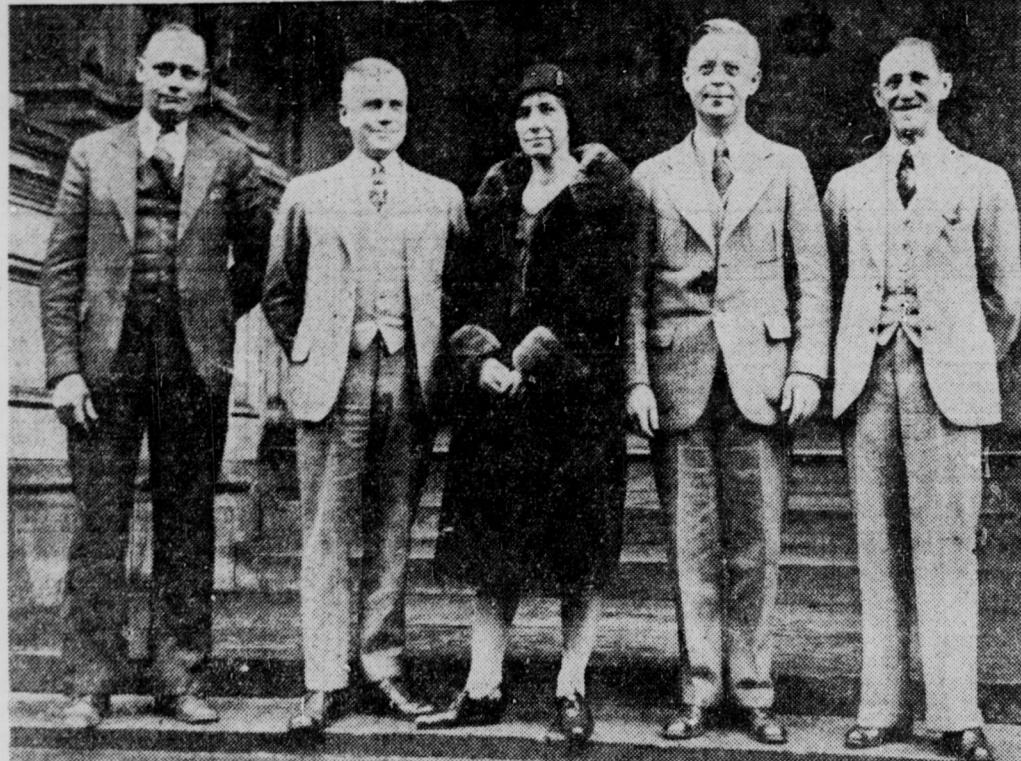
DISTRESSING cold in chest or throat that so often leads to something serious—generally responds to good old Musterole with the first application. Should be more effective if applied once every hour for five hours.

Working like the trained hands of a masseur, this famous blend of oil of mustard, camphor, menthol and other helpful ingredients brings relief naturally. It penetrates and stimulates blood circulation, helps to draw out infection and pain. Used by millions for 20 years. Recommended by doctors and nurses.

Keep Musterole handy—jars and tubes. To Mothers—Musterole is also made in milder form for babies and small children. Ask for Children's Musterole.

MUSTEROLE
BETTER THAN A MUSTARD PLASTER

Attend First Session of New Board



Three new faces appeared in the new Indianapolis board of school commissioners when first meeting of the new year was held today. In the photo (left to right) are Lewis E. Whiteman and Fred Kepner, holdover members, and new members elected on the citizens' school committee ticket, Mrs. J. Don Miller, Russell Willson and Julian Wetzel.

FARM BUREAU HEADS CONVENE

Directors of State Federation Hold First 1930 Parley.

Directors of the Indiana Farm Bureau Federation convened at the farm bureau offices here today for its first quarterly meeting of 1930 lasting through Friday.

Reorganization of the federation, under the new articles of incorporation, adopted at the annual convention in November, was perfected at today's meeting. The new articles broadened the farm bureau's business activities.

All officers of the farm bureau elected at the convention, were retained by the directors, to serve two years. These include W. H. Settle, president; Louis Taylor, Yanketown, first vice-president; Mrs. Charles W. Sewell, Otterbein, second vice-president, and L. L. Needler, Marion, secretary and treasurer.

Annual reports of department executives will be heard Friday, including reports on organization, tax and legislation, automobile insurance and livestock and co-operative marketing.

STATE ROADS BAD

Heavy Traffic Is Halted by Mid-Winter Thaws.

Heavy rains and midwinter thaws of the last week have made several gravel and dirt state highways almost impassable, according to A. H. Hinkle, maintenance superintendent, today.

Heavy traffic has been halted on the following:

Road 36, from junction with Road 43 to Rockville.

Road 43, from Greencastle to Crawfordville.

Road 59, south of Rockville.

Road 63, between Seymour and North Vernon, and east of Bedford.

Road 54, detour east of Bloomfield, state trucks are pulling light traffic through mud.

Road 24, impassable between Wabash and Huntington. Light traffic is being allowed up of new pavement, which will be closed to heavy traffic for another week.

102 TO GO ON TRIAL

51 of Criminal Court Defendants in Jail; Others Out on Bond.

One hundred and two defendants are slated to be arraigned before Judge James A. Collins in criminal court Monday, Jan. 6. Included are ten charged with gaming, one murder, twelve with burglary and grand larceny and three with auto banditry. Fifty-one of the defendants are in jail; the others at liberty under bond.

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TAKES OFFICE AS CLERK

Lewis Bowman Succeeds Bert May at State Tax Board Post.

Lewis Bowman, formerly state auditor, today took office as chief clerk of the state tax board, succeeding Bert E. May, who becomes field examiner. Ray Shank, Angola, also has been appointed to the field staff, which was in annual conference.

Soprano to Give Concert
Miss Helen Musick, New York city, dramatic soprano, who will give a concert in Caleb Mills Hall, Shortridge high school, Saturday, called at city hall today to greet Mayor L. E. Slack.

Lindys Hop Off
By United Press
ST. LOUIS, Jan. 2.—Colonel and Mrs. Charles A. Lindbergh left Lambert-St. Louis field at 10:03 a. m. today for Kansas City.

INFANTRY DUTY MAY BE VARIED IN NEAR FUTURE

War Department Conducts Experiments to Gain Striking Power.

WASHINGTON, Jan. 2.—Private Terrence Mulvaney was a lance corporal once and an infantryman always, as Kipling fans readily will recall. He and his fellow doughboys the world over would be charmed and saddened when they were introduced to the modern infantryman as visualized by the war department.

An infantryman in these experimental, postwar days is as likely to yank a lanyard or tool a caterpillar truck over ploughed ground as he is to muzzle his chin against his rifle butt or brandish a bayonet. What the infantryman has come to hate has been revealed by the war department.

Experiments Under Way
If experiments are successful, the infantryman of the next war, if any, will be a composite machine-gunner, artilleryman, automatic-rifleman and whatnot with here and there an individual possessing the familiar rifle, revolver and bayonet.

After experiments at Ft. Benning, Ga., Secretary of War Hurley has authorized organization of the Twenty-ninth Infantry as an experimental battalion for further investigation of new arms and tactics.

The purpose is "to give the maximum striking power and capacity for sustained effort without disproportionate loss of mobility or increase of vulnerability."

Changes Made

The war strength infantry battalion to be experimented with will consist of battalion headquarters, battalion headquarters company, three rifle companies and two machine gun companies.

The department said changes in existing organization had been made, as follows:

Two instead of one automatic rifle per squad in rifle companies. Addition of one machine gun platoon, two .37 mm. cannon and two .75 mm. mortars to the headquarters company.

The effect of these changes is to increase battalion strength by 326 to 1,178 men and to increase fire power by improvement of weapons. Meantime experiments continue on a semi-automatic rifle to supplant the rifle used during the World War.

Fall Fractures Leg

PENDLETON, Ind., Jan. 2.—Phillip Jones suffered a broken left leg when he slipped and fell while moving a well drilling outfit from here to a farm near Anderson.

Chief Clerk



Ralph E. Simpson, who after ten years' service in the engineering department of the state highway commission, has received the appointment to the position of chief clerk.

THREE APPEAR FOR JUDT MURDER CASE

Judge Collins to Rule on Ward, Bonfield and Clausen.

Selection of defense counsel in the Andrew Judt murder trial today awaited ruling of Criminal Judge James A. Collins on written appearances filed by Fred Bonfield, Seth Ward and Milton Clausen, as attorneys for Judt. The appearances were accompanied by a verified motion to correct the record with respect to the court's appointment of Alvin Rucker as Judt's counsel.

The appointment was made when Judt's trial for the slaying of his wife was interrupted two weeks ago by Attorney T. Ernest Maholm's failure to appear in court in Judt's behalf after the trial had been in progress two days.

Judge Collins said he would rule later in the week. Rucker today withdrew his appearance.

Anderson Widow Dies

ANDERSON, Ind., Jan. 2.—Mrs. Eliza Marian Fuller, 62, is dead. She was the widow of Edgar E. Fuller.

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6 BELLANS Hot water Sure Relief

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