

UTILITY RULING SEEN BLOW AT PUBLIC RIGHTS

North Manchester Is Denied
Hearing on Electric Plea,
as Commission Splits.

BY DANIEL KIDNEY
Three public service commissioners effectively have slammed the door on one avenue of public ownership of utilities in a decision regarding cheering to private ownership in general and Indiana Insull interests in particular.
They are Chairman John W. McCordle and Commissioners Jere West and Harry K. Cuthbertson.
The occasion was their refusal to hear the North Manchester electric petition, whereby the town of North Manchester sought to take over the Insull power lines there and operate them as municipally owned.
Commissioners Frank Singleton presided in the case and at the conference Friday afternoon brought in an interlocutory order denying the Northern Indiana Power Company (Insull) motion to dismiss the case.

Ellis Plays Refusal
But the order promptly was re-written to favor the Insull motion and passed, 3 to 2.
Commissioner Howell Ellis joined with Singleton in voting "No" on the Insull motion. In addition, he submitted an opinion setting forth his reasons.
Admitting the procedure was taken improperly by the town—the reason given by Cuthbertson for denial—from a strictly legal standpoint, Ellis made a plea not to prevent people from owning their own utilities due to technicalities.
"I think a town ought to own its own utility services if its citizens see fit," he declared and his opinion set out his conclusions as follows:

Technicalities Not Fatal
"It is known by all, what the petitioner desires, namely, to acquire the electric property of the respondent in North Manchester. I believe that respondent (Insull) has consented to such acquisition under the provisions of Section 102, of the public service commission act.
"I believe the commission should look to this fact rather than to the form of the petition. Certainly, no strictness in pleading is required before a regulatory body such as the public service commission.
"This has been decided in Indiana by the appellate court in a case involving the railroad commission, the predecessor of this commission.
"The court said: 'No strictness of pleading is required in proceedings before the railroad commission, and it is vested with ample power to frame its orders, as the substantial justice of the case may require, irrespective of the relief asked for in the petition.'

Republicans Split
The case cited is the Southern Railroad vs. the Indiana railroad commission, forty-second Indiana Appellate reports, Page 95.
Singleton said he favored hearing the evidence in the North Manchester case, but since all commissioners heard the arguments on the motion to dismiss and read the lawyers' briefs in the matter they were at liberty to reverse his conclusions.
The two Democratic commissioners joined with the Republican chairman in denying the hearing, while the chairman's Republican colleagues stood for considering public ownership through this new channel. The matter never had been ruled on previously by the commission.

ACKERMANN IS OUSTER TARGET

By Times Special
SOUTH BEND, Ind., Nov. 28.—Mayor W. H. Hinkle's South Bend Friday formally demanded the resignation of Rudolph Ackermann as city controller. The demand was made in a letter, the text of which neither the mayor nor Ackermann would make public.
The demand is expected to cause rapid developments in a Democratic political squabble which was started recently when Hinkle let it be known that he intended to oust the controller. A charge that \$20,000 was paid by a gambling syndicate as the price for protection of operations here, is a part of the strife.
Frank Nevins, St. Joseph county clerk, is said to have offered to go before a grand jury and "lay the cards on the table" regarding the purported bribe.
Prosecutor Samuel P. Schwartz announced a few days ago that if preliminary inquiry warranted he would call a special session of the grand jury. He still was undecided on the session today. However, it is said Mayor William Kraus, Democratic mayor of Elkhart, who this week referred to the bribe story while attending a state Democratic meeting in Indianapolis, "backed down" to the extent of saying he had only hearsay evidence.

Mr. Fixit

Write your troubles to Mr. Fixit. He is the Times representative at the city hall and will be glad to present your case to the proper city officials. Write him in care of The Times, enclosing your full name and address. Name will not be published.

All communications to this department must be signed. Letters regarding dust on Ashland avenue cannot be answered because the petitioners did not sign their names.

Dear Mr. Fixit—There is a chuck hole at the corner of East North street and Sherman drive, and it is getting worse all the time. The entire neighborhood would appreciate it very much if you would cause it to be repaired. Thanking you for your efforts, I remain,
N. B. K.
This matter has been referred to City Engineer A. R. Moore, whose department reports that the water company which dug this hole, has been ordered to repair it.
The wood duck carries her young around by seizing them by loose skin on the nape of the neck, much in the manner of a cat carrying a kitten.

The City in Brief

Specimens of Indiana's 1931 flower crop will be shown at 8 Tuesday at the State Florists' Association meeting at the Smith and Young Company, 229 West New York street. Plans for the association's annual meeting, Jan. 12, will be made at the session.

Eagle Captured.
By Times Press
BLUFFTON, Ind., Nov. 28.—An eagle with a wingspread of seven feet was caught in a trap which Irwin Zimmerman set on the Wabash river bank. The bird was uninjured. Zimmerman plans to give it to a circus.

MERCHANTS OF CITY TO STAGE 'OPEN HOUSE'

Opportunity Given. Public
to View Big Displays
of All Stocks.

Downtown Indianapolis merchants will hold a Christmas open house Tuesday night to permit families to inspect the stores' stocks of Christmas goods, it was announced today by W. E. Balch,

Merchants' Association managing director.
The event is being arranged by the merchants so shoppers of Indianapolis and the Indianapolis shopping area may look over the attractive Christmas articles displayed by the stores, while the stocks still are complete.
Stores will remain open until 9:30, making it possible for husbands, who are unable to shop in the daytime, to visit the stores at night with their wives, and, together, obtain ideas for their Christmas purchases.
Selling Is Not Aim
Balch stressed the fact that while clerks will be on hand to serve the public, the open house is not a selling event and no one will be importuned to buy. It is being held principally to permit stocks to be inspected. There will be no special

prices, but a complete display of seasonable gift articles, it was said.
For convenience of the public, arrangements have been made by the merchants for free street car and bus service to the downtown area from 6:30 to 7:30 Tuesday night. In addition, arrangements have been made with twenty downtown garages for parking between 6 and 9:30 p. m. at a flat 25-cent charge.
Announcements of the Christmas open house will be carried in the regular advertising of merchants and also between programs on radio stations WFBM and WKBF.
Complete Stock In
The merchants have complete stocks at this time and will have nothing to show later which they do not have now, it was said.
Interiors of the stores will be decorated in holiday style and some stores may provide entertainment for visitors. This is the first time

the stores have remained open at night at this time of the year, and the open house is believed to be the first event of its kind ever held anywhere. While the open house event was originated by the Merchants' Association, other merchants are co-operating.
Groups participating include the East and the West Washington and the Pennsylvania Street Merchants' Associations.
Committee Head Event
The Merchants' Association committee, arranging the event, is composed of Albert Zoller, Charles Mayer & Co., chairman; A. L. Block, L. Strauss & Co., president; M. S. Block, William H. Block Company

president; V. C. Kendall, L. S. Ayres Company treasurer, and E. A. Kahn, Colonial Furniture Company president.
Co-operating with this group is another committee representing the other associations: Sol Solomon, Victor Furniture Company, West Washington Street Association president; Samuel Mueller, Great Western Furniture Company, East Washington Street Association president, and L. Kornblum, Bradshaw-Kornblum Company, Pennsylvania Street Association acting president.
More oaks are planted along streets and roadsides of the United States than any other variety of tree. Maples rank second.

Church Robbery Charged
By Times Special
COLUMBUS, Ind., Nov. 28.—Three persons under arrest here are believed to be those responsible for a series of robberies including that of the First Methodist church. The prisoners are Orrel Brown, 39; his wife, Mrs. Nellie Brown, 24, and Frank Calvin, 26.
Three Face Robbery Charge
By Times Special
EVANSVILLE, Ind., Nov. 28.—Three men charged with robbery will be returned here from Henderson, Ky., as a result of Governor Flein D. Sampson of Kentucky honoring extradition papers. The prisoners are Virgil Howard, James Eakins and Elmer Roberts.

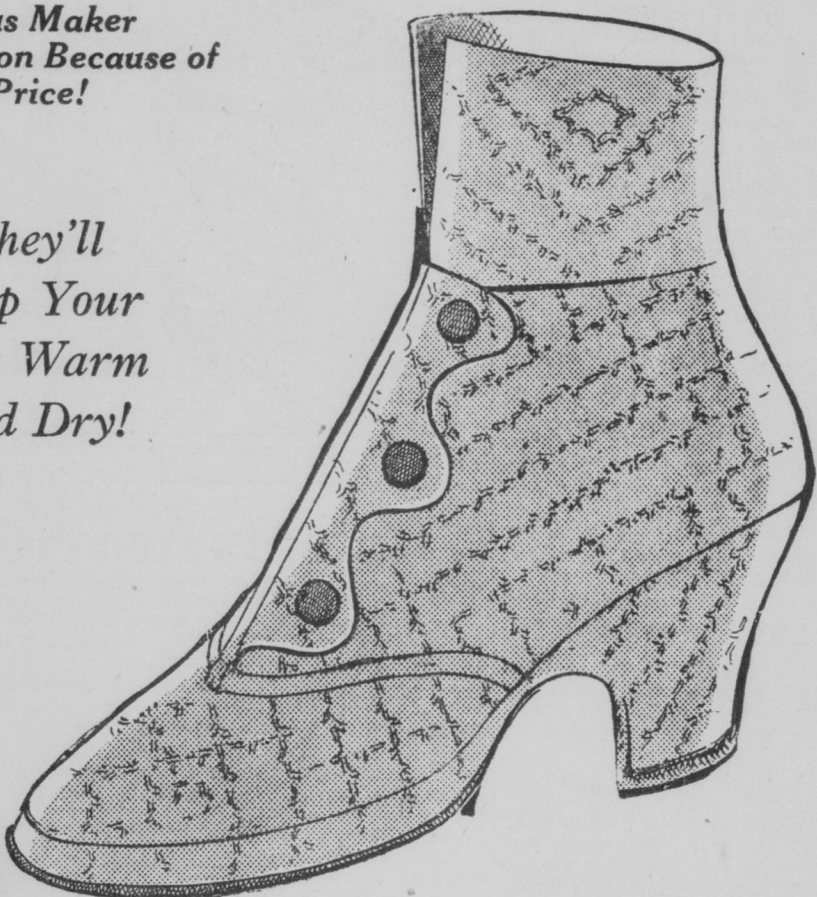
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The New York Store

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Women's Slide or Snap Rainshuz
First quality Rainshuz in black, gummetal, brown or two-tone. Snap or slide fastener.
\$1.19
ALL HEIGHTS HEELS

Children's Sandals
Pure gum. Sturdy construction. Sizes 4 to 2.
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All Rubber with neither snaps nor slides. Do they fit? Come in and try a pair.
\$1.95
Women's Footholds
Black. Pure gum, as pictured.
29c
All Sizes

Men's One-Buckle Work Arctics
For the Man who needs warmth and wear. A rugged, serviceable Overshoe with red sole.
\$1.49
Men's Fine Jersey Dress Arctics
Of good-looking, light-weight Jersey. Four-buckle height. All first quality.
\$2.49
Boys' Arctics \$1.98

Men's Work RUBBERS
Heavily corrugated soles. Lowest price in years. Dull finish.
98c
Children's RAINSHUZ
Just like mother's. All rubber or cloth. In brown or heather.
\$1.19
Boys' SANDALS
Act quickly for Sandals at this price. Sizes to 6.
79c
Talon Fastener
Black or brown, all rubber, highest quality, to fit all heels.
\$1.95
Galoshes
Snap or Slide Super Quality
\$1.49
Snap Fastener
Brown or black, new pebble grain surface. All heel heights.
\$1.98

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