

RAILWAY CZAR PLAN FAVERED BY ROOSEVELT

Proposal for Co-Ordinator
Probably to Be Given
Congress Next Week.

By United Press
WASHINGTON, April 28.—Senate administration leaders today said that the emergency railroad bill, tentatively approved by the President, would create a rail transportation co-ordination empowered for the period of a year to set aside anti-trust laws in an effort to re-organize the roads.

The bill probably will be submitted to congress early next week, without substantial revision.

It was drafted by members of the senate interstate commerce committee, co-operating with administration advisers. It would set up a federal co-ordinator of transportation appointed by the President, perhaps from the ranks of the interstate commerce commission.

Under his administration, the nation's railroads would be divided into three groups, eastern, western and southern, each group supervised by a committee of five men picked by the railroads themselves.

The co-ordinator, acting with the approval of Mr. Roosevelt, could release the roads from operation of the anti-trust laws and other state and federal statutes, including the interstate commerce commission act, for a one-year emergency period which the President could extend by decree.

Youth Injured in Fall
Nick Califar, 15, of 1219 Nordyke avenue, incurred a fracture of the right arm Thursday night when he fell into a ditch ten feet deep while playing at Kentucky avenue and Morris street.

LOVE SUIT FIGURE



ARGUE SALES, INCOME TAXES IN COURT TEST

Constitutionality of New Law is at Stake in Friendly Suit.

State arguments in favor of the constitutionality of the new Indiana gross sales and income tax law which goes into effect May 1 were heard today in superior court five by Judge Russell J. Ryan in a friendly suit brought by J. Harry Ross, president of the Indianapolis Real Estate Board, and Frank L. Moore, president of the Indiana Real Estate Board.

"The law levies a tax not on gross income itself, but on the privilege of receiving such an income," Fred Wielcking, deputy attorney-general, argued before Ryan, citing decisions on the Mississippi sales tax law, which the supreme court has held constitutional.

Wielcking took the view that the new law in no sense is a local law, and that the legislature has a right to classify tax subject matter. "The tax is not on business as business," Wielcking declared, "but on the right to receive income."

The friendly action filed by the realty board heads points out that the Constitution forbids the passage of laws by states which impair contracts, that deprivation of property without due process of law is illegal and that citizens of one state are entitled to the same privileges as citizens of the several states.

Arguments that the law is unconstitutional were scheduled to be presented this afternoon before Ryan by attorneys Martin Hugg, O. S. Boling and Linton A. Cox. The plaintiffs also seek a temporary injunction against enforcement.

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NEA

BEER TAX FIGHT OPENS IN COURT

Arguments Started; Injunction Granted Barring Gary Man From Selling.

By United Press

HAMMOND, Ind., April 28.—Arguments on the temporary restraining order preventing authorities from interfering with the beer business of Abe Rosen opened today in Lake superior court.

Meanwhile, a new injunction involving Rosen was pending in Lake circuit court. It was issued Thurs-

day by Judge T. Joseph Sullivan, and prevented Rosen from selling beer.

Both the Lake county prosecutor and the attorney-general's office represented the state in the arguments today on Rosen's injunction against Paul Fry, state excise director; the lake county sheriff and Calumet chief of police.

Since that order did not affect Attorney-General Philip Lutz Jr., he dispatched two deputies, Herbert M. Spencer and Edward Barce, to Lake county Thursday. They obtained the order stopping Rosen's sale of beer on a petition to the court.

It was served by the coroner, who is authorized to act in case the sheriff is unavailable.

The state's injunction was on the ground that Rosen violated nuisance provisions of the beer law by selling without a license and paying the tax.

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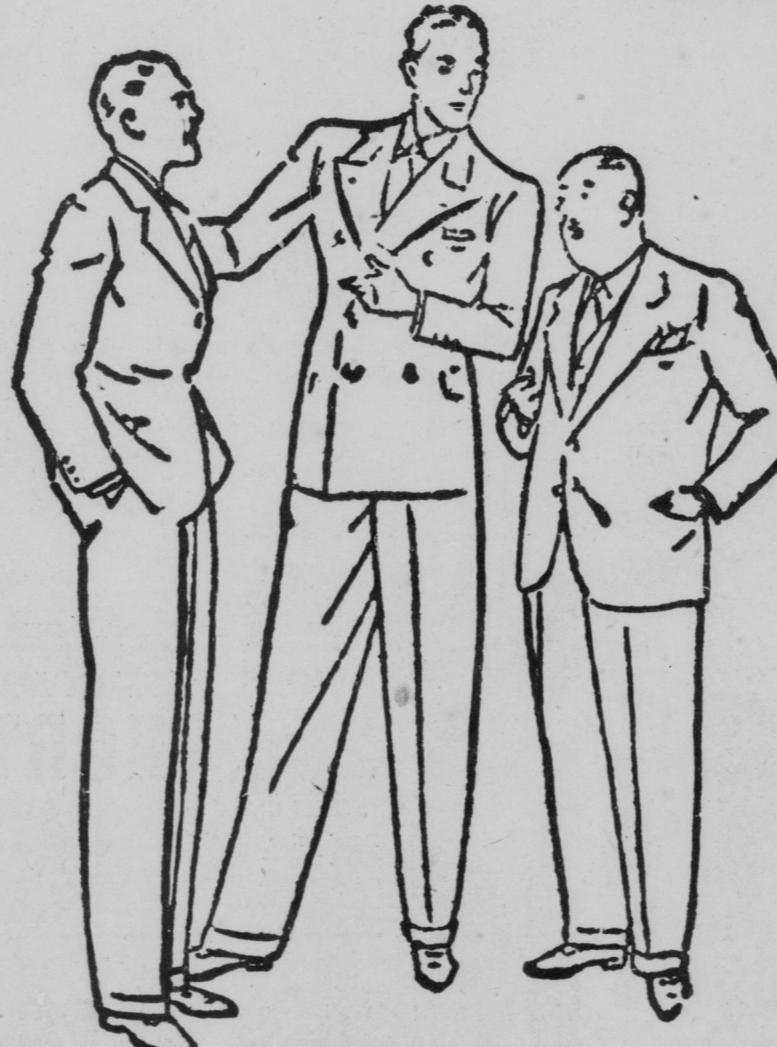
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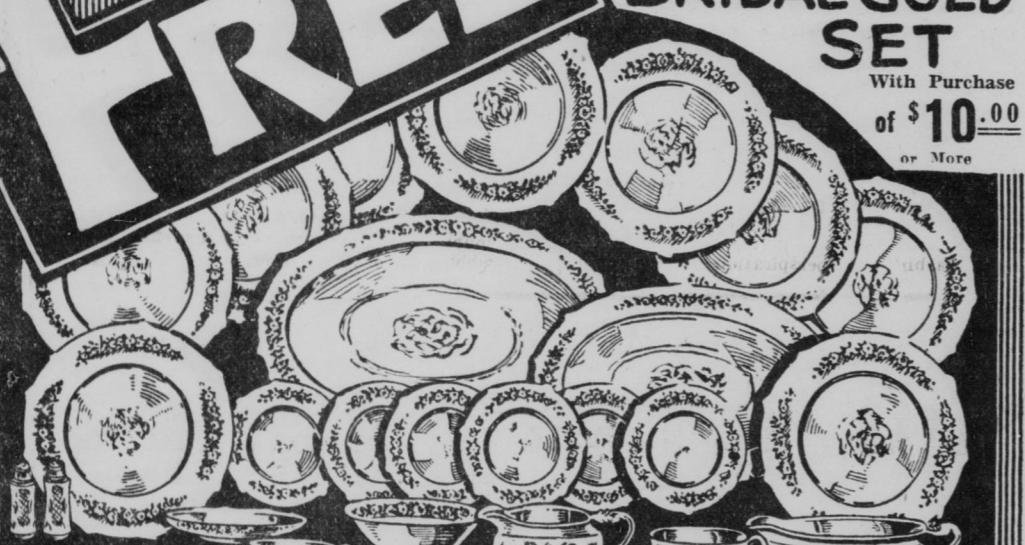
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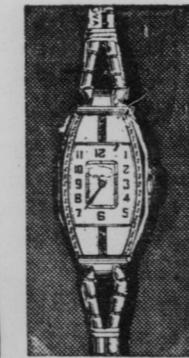


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